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1

OFFICE OF PRODUCTION MANAGEMENT

Office of
JOHN LORD O'BRIAN
General Counsel

Washington, D.C.

January 7, 1942

MEMORANDUM

TO: Mr. Lawrence W. Cramer, Executive Secretary
The President's ^{U.S.} Committee on Fair Employment Practice (1943-1946)

FROM: John Lord O'Brian
General Counsel

SUBJECT: Are common carriers which transport troops or equipment directly for the War or Navy Department to be considered defense industries or defense contractors within the meaning of Executive Order 8802?

CONCLUSION: Such carriers are to be regarded as defense industries, and, if they have Government contracts, as defense contractors.

You have asked me whether or not common carriers transporting troops or equipment for the armed services should be considered defense industries or defense contractors within the scope of Executive Order 8802. It is my opinion that common carriers of nation wide importance, such as railways operating in interstate commerce, are included within the meaning of the term "defense industries" as it is used in the third paragraph of the order, and that any carrier, whether interstate or local, which contracts formally in writing to carry troops or equipment holds a "defense contract" and is therefore subject to the obligations imposed upon defense contractors by section 2 of the Executive Order.

The term "defense industries" is not susceptible of precise definition; its meaning would seem to depend upon the particular setting in which it is placed. In the present case, where the avowed purpose of the order is to "encourage full participation in the national defense program by all citizens of the United States, regardless of race, creed, color, or national origin", the term must be taken to include all those industries producing the raw materials from which supplies or weapons for the war effort of this country or

U.S. Committee on fair employment practice
(1943-1946) March 10, 1943. # 2

MEMORANDUM OF UNDERSTANDING BETWEEN

THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE,
THE WAR MANPOWER COMMISSION, AND
THE PROVOST MARSHAL GENERAL, WAR DEPARTMENT

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1. The policy of the United States concerning the employment of workers, whether citizens or aliens, as expressed by the President in Executive Order 8802, is that the United States encourages full participation in the national defense program by all workers, and that there is to be no discrimination in employment in defense industries because of race, creed, color, national origin, or citizenship. This policy contains no exceptions, and was reiterated and further clarified by the President in his statement of July 11, 1942.

2. On December 12, 1941, the President issued Executive Order 8972, in which, as Commander-in-Chief in time of war, he authorized and directed The Secretary of War and The Secretary of the Navy to take such action as they deem necessary to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities, as broadly defined in the Sabotage Act. Pursuant to this order, various instructions have been issued and action has been taken in an effort to determine that all persons who have access to important national-defense material, premises, and utilities are loyal to the United States.

3. It is agreed between The Provost Marshal General and the President's Committee on Fair Employment that there shall be no objection to inquiry into race, creed, color or national origin after employment; nor with reference to the commissioning or enlistment of members of members of the Women's Army Auxiliary Corps; nor with reference to

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THE SEGREGATION OF WAR WORKERS BECAUSE OF

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RACE, CREED, COLOR OR NATIONAL ORIGIN

. 2154

by

George M. Johnson
U.S. Assistant Executive Secretary
President's Committee on Fair Employment Practice (1943-1946)
Washington, D.C.

Delivered before the New York Chapter of the National Lawyers Guild
in New York City, April 21, 1943.

Executive Order 8802 reaffirms a national policy of equal opportunity for training and employment which has its roots in the Federal Constitution and numerous Congressional Acts. The defense program and later the war effort emphasized the need for maximum use of total manpower and the elimination of employment practices based upon racial and religious prejudices. Prior to the issuance of Executive Order 8802 the President signed a memorandum containing the following significant language:

"No Nation combatting the increasing threat of totalitarianism can afford arbitrarily to exclude large segments of its population from its defense industries. Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad."

Executive Order 8802 is more than a proclamation. It does more than reaffirm a national policy. It sets forth the duty of employers and labor organizations as well as agencies of Government in relation to that policy and creates a special agency with power to take certain action in furtherance of that policy.

Authority to issue Executive Order 8802 has never been seriously questioned, but the special agency created by the Order - the President's Committee on Fair Employment Practice - has had a checkered career. The Committee was at first a quasi-independent

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REPORT
OF
THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE

CONFIDENTIAL

WASHINGTON, D. C.
MAY, 1943

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2154

OPERATING AGREEMENT BETWEEN FEPC AND WMC

ON NON-DISCRIMINATION PROGRAM

Enforcement of policies promulgated by Executive Order No. 9346 of May 27, 1943, hereinafter called the Non-discrimination Order, calls for the closest possible cooperation between FEPC, which is responsible for the formulation and execution of policies under the Non-discrimination Order, and WMC, which is responsible for full utilization of the Nation's manpower in the prosecution of the war.

As the administrative machinery of WMC embraces the fields of training, placement, and utilization of manpower, where discriminatory employment practices are directly reachable in the course of the agency's daily operations, it is imperative that full utilization of the staff and facilities of WMC be made in the administration of Executive Order No. 9346.

It is the purpose of this agreement between FEPC and WMC to define the respective responsibilities of the two agencies and to establish operating procedures which will assure the most harmonious and expeditious enforcement of non-discrimination policies.

A. RESPONSIBILITIES OF FEPC

1. The Non-discrimination Order provides that:

- (a) FEPC "shall formulate policies to achieve the purposes of this Order and shall make recommendations to the various Federal departments and agencies, and to the President, which it deems necessary and proper to make effective the provisions of this Order".
- (b) "The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin."
- (c) "All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin."

September 1, 1943

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TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Administrative Procedures of WMC under its Operating Agreement with FEPC.

Attached hereto is a copy of the memorandum issued by WMC to its regional, state, and area directors setting forth the responsibility of WMC in the utilization of minority groups. The procedures set forth herein are now effective.

You will note that staff personnel will be designated in the WMC regional office in your territory, and whenever the work load requires it, in its state, area, and local offices, to establish liaison with you.

The Regional Director of WMC in your region will transmit to you two copies of each USES 510 report relating to discriminatory employment specifications or other evidence of discrimination encountered in USES operations in your region. Each 510 report will be deemed a case and docketed, although no contact shall be made with the party charged until the end of the ten day clearance period provided by the Operating Agreement. Note particularly that the Operating Agreement provides that the files and records of WMC on such cases are available to you.

In addition to the USES 510 report, you will receive from the WMC Regional Director a new type of report, numbered 42, which relates to discrimination in training programs, which shall likewise be deemed a case, docketed, and be subject to the clearance period. Similar reports will also be transmitted on discrimination in utilization programs and on discrimination charged by the general public.

A copy of each of such reports transmitted by the Regional Director shall be forwarded to me immediately upon receipt together with the docket card (if it is a docketable case).

*U.S. Committee on fair
employment practice (1943-1946)*

FIELD INSTRUCTION NO. 6

September 3, 1943

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TO: The Staff

FROM: Will Maslow
Director of Field Operations

RE: Public Relations

Good public relations play an important part in the fulfillment of the Committee's responsibilities. Such public relations are created; not only by press releases or public address, but by the day-to-day contact with employers, unions, Government agencies, civic organizations, employees, and complainants. Fair courteous treatment will be reflected in a community's appraisal of the Committee and its staff.

Each Regional Director is the Committee's spokesman in his area, and as such, is responsible for creating and maintaining good local relationships. In that work, the following rules will be observed:

1. Do not issue any formal press releases or make any speech until the release or an outline of the speech is approved by the Deputy Chairman; in emergency situations, clearance may be requested by telephone. It is understood that factual statements regarding the work in your region may be made without reference to the central office.
2. Do not make any public reference in a pending case to the name of the complainant or party charged without clearance; remember that a complaint is merely an accusation until the Committee takes definitive action on it.
3. Avoid any attempt to explain or interpret in public controversial decisions or policies of the Committee.
4. Avoid public controversy; limit yourself to a calm, dispassionate statement of undisputed facts.

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U. S. Committee on Fair
Employment Practice (1943-1946)

FIELD INSTRUCTIONS NO. 7

September 11, 1943

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TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Jurisdiction of FEPC as to Parties Charged

Presidential Executive Order 9346 reaffirms the national policy of the United States that "there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin" and places specific duties upon "all employers, including the several Federal departments and agencies, and all labor organizations" to eliminate such discrimination with respect to employment practices or union membership. In addition, similar obligations are imposed upon "all departments and agencies of the Government of the United States concerned with vocational and training programs for war production." Finally all contracts of the United States Government, regardless of their nature, are required to contain non-discrimination clauses. The Committee therefore has jurisdiction over four types of agencies.

1. Agencies of the United States Government
2. War industries, or enterprises engaged in production or services essential to the war effort
3. Labor organizations
4. Enterprises under contract with an agency of the United States.

A detailed specification of the enterprises or agencies included within the meaning of the quoted phrases is not furnished by the Executive Order. It is, therefore the purpose of this memorandum to define the boundaries of the Committee's jurisdiction and to indicate the doubtful areas in which the Division of Field Operations shall not proceed without specific authorization in advance. The ultimate decision, however, as to the Committee's jurisdiction will not be based upon any mechanical classification system, but upon a determination of whether or not the elimination of the practices complained of will "promote the fullest utilization of all available manpower"....."the prosecution of the war, the workers' morale, and national unity."

With these principles in mind, the following tentative classifications have been attempted:

A. Agencies Definitely Within the Committee's Jurisdiction

1. Federal governmental agencies, 1/, including administrative agencies under the Congress 2/
2. Plants owned and operated by the Federal government.
3. Plants owned by the Federal government but privately operated.
4. Privately owned, privately operated companies with Federal government contracts or with sub-contracts thereunder, including those located in Alaska and Puerto Rico.

- 1/ President's Memorandum of September 3, 1941, to Heads of all Departments and Independent Establishments; see Operations Bulletin, Note 13.
- 2/ Opinion of the General Counsel; WMC, September 25, 1942; see Operations Bulletin, Note 14.

U.S. Committee on fair employment practice
(1943-1946)

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September 23, 1943

#9

September 23, 1943

TO: ALL REGIONAL DIRECTORS, and
Administrative Offices
FROM: WILL MASLOW,
Director of Field Operations
RE: DOCKET CARDS

If you use clean carbon paper, the buff and
white docket cards can be typed simultaneously.
Be sure, however, that the buff card which is
transmitted to me is the original.

U.S. Committee on fair employment practice (1943-1946)
" FIELD INSTRUCTION NO. 12

X-HD 4903

September 27, 1943

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: U. S. Maritime Commission

#10

The following documents set forth the policies the U. S. Maritime Commission has adopted to implement its obligations under Executive Orders 8802 and 9346.

1. Joint letter by the Chairman of the Maritime Commission, etc. to the Committee dated July 2, 1942. (See Operations Bulletin, Appendix, Note 8).
2. Shipyard Labor Relations Bulletin by the Director, Division of Shipyard Labor Relations, issued August, 1942, including memorandum on specific requirements. (See Operations Bulletin and Attachment B.)
3. Joint statement by the Chairman of the Maritime Commission, etc., on the employment of aliens, issued June 7, 1943. (attached hereto)..

The following procedures shall be used in processing complaints involving either government-owned and privately operated plants or privately owned plants operating under contract with the Commission.

1. Determine whether a prima facie case exists by questioning the complainant and analyzing pertinent documentary and statistical data, but do not communicate with the party charged.
2. If in your opinion a prima facie case exists, advise the highest ranking regional representative of the Commission of the nature of the complaint, and request a conference and his cooperation in dealing with the party charged.
3. Confer with such regional representative.
4. If the regional representative is unsuccessful in obtaining compliance with the Executive Order, confer with the party charged and such regional representative.
5. If no compliance can be obtained, submit a Request for Further Action to the Director of Field Operations.
6. The Deputy Chairman and/or the Director of Field Operations will then confer with the Director of the Division of Shipyard Labor Relations in order to obtain compliance by the contractor.

September 28, 1943 #11

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Advertisements Containing Discriminatory specifications

An identified employer within the jurisdiction of the Committee who publishes a help wanted advertisement containing a discriminatory specification thereby violated the Executive Order.

Accordingly all important newspapers and trade publications in your region carrying want "ads" should be scanned regularly as a matter of routine. Subscribe for such publications as are not otherwise readily available.

The following procedures shall be used in processing this type of violation:

1. Clip the advertisement so that the name of the publication, the date, and the page number are preserved.
2. Docket all cases in which a party charged is identifiable, listing the source as "Reg. Dir." (Regional Director).
3. Follow the clearance procedure of the WMC agreement.
4. Write to the party charged using the form attached hereto as a guide.
5. If the name of the USES appears in the offending advertisement, write in addition to the Regional Director of WMC and request that no such specifications be used thereafter and that such specifications be disregarded in referring workers to the employer.
6. If compliance with the Executive Order cannot be obtained, submit a Request for Further Action to the Director of Field Operations.

This Instruction is not applicable to advertisements limiting applications to citizens. The Committee is now reconsidering the entire problem of alienage and an instruction embodying its views will shortly be issued.

For the time being do not proceed against "blind ads," that is, those which do not list an employer but merely give a post office or newspaper box, or against employment agencies. Similarly, do not communicate with the publication which published the offending advertisement until this problem is dealt with by a field instruction.

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FIELD INSTRUCTION NO. 15

September 28, 1943

#12

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Government Contracts

You have recently received from the War Production Board, and will each week hereafter regularly receive, its list of major war supply contracts. These lists indicate the name of each contractor, its location, the contract item to be supplied, the money value of the contract, the date it was awarded, the date completion is due and the name of the contracting agency, Army (A), Navy (N), Maritime Commission (M), or Treasury (T).

Since the jurisdiction of the Committee often depends upon the award of such war supply contracts, as a matter of routine, check these lists before processing complaints. Hereafter each docket card shall list after the item "Type of Business" a code letter - A, N, M, or T, which will indicate the award of a war supply contract. Further, in each case report submitted state under the heading "Description of Party Charged" all the relevant facts about such contracts or "No war contract listed."

U.S. Committee on fair employment practice (1943-1946)

FIELD INSTRUCTION NO. 14

X- HD 4903

September 28, 1943

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TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Sabbatarians

The Committee adopted the following policy at its meeting of September 14, 1943:

"In cases in which it is alleged that a person has been discriminated against in connection with employment in war industries or government service, because of creed, and it appears upon investigation, that such person has been denied employment or dismissed from employment because he or she on account of his or her creed conscientiously cannot perform secular work on certain days, the Committee takes the position that if it is possible, even at considerable inconvenience, for the party charged to arrange work schedules so as to permit such persons to absent himself or herself from work on days on which he or she because of creed conscientiously cannot perform secular work, failure to arrange such work schedules will be regarded as a violation of the provisions of Executive Order 9346."

In connection therewith note somewhat analogous positions taken by other governmental agencies in documents attached hereto:

1. War Department, Administrative Memorandum No. 55, issued September 10, 1942.
2. Navy Department, Instructions of Secretary of Navy, issued December 17, 1942, and August 20, 1943.
3. Letter of the Civil Service Commission dated May 10, 1943.

September 29, 1943

U.S. Committee on fair employment practice (1943-1946)

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: ES 270

X- HD 4903

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WMC has in its files and available for your inspection a form known as ES 270, "Report of Current and Anticipated Employment." This report contains data useful in appraising complaints and employer's responses thereto, and shall be consulted as a matter of routine in every case.

The ES 270 is filled out bi-monthly by WMC employees after interviewing employers. It is required only of employers employing more than 200 persons.

Among the information contained therein are:

- Item A. "Principal Products Manufactured or Description of Industrial Activity." (This item is useful for docket entries and case reports.)
- Item B. "Employment Trend."
This item gives the number of current and anticipated employees.

Clause 9 requires with respect to non-whites, a breakdown as to type of work (production, clerical, service, etc.), whether employment is plant-wide or concentrated in specific departments or operations, and finally what recent changes or new plans have been made for such non-whites. Check this against the employer's statements to you. Whenever persons other than Negroes are included in "non-whites," an explanation is required.

Regional, state, and area directors in their discretion may require ES 270 reports for other establishments whenever necessary for an adequate analysis of the labor market.

U. S. Committee on Fair
Employment Practice (1943-1946)

FIELD INSTRUCTION NO. 11

October 8, 1943

X- HD 4903

2154

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Weekly Report

Effective the week ending Saturday, October 16, 1943, discontinue the weekly report outlined in Field Instruction No. 2 and follow the outline below. The report shall be submitted in triplicate each Monday by air mail.

WEEKLY REPORT

for the

Week Ending Saturday, _____, 1943.

TO: Will Maslow, Director of Field Operations

FROM: _____, Regional Director, Region ____.

DATE: _____

I. Outstanding Events and Problems

II. Public Relations

(Describe speeches made, conferences attended, press releases issued--attach copies--and other important public contacts.)

III. Contacts with Governmental Agencies Other than WMC

(Describe name and title of officer visited, purpose of visit, results, etc.)

IV. Comments and Suggestions

V. Corrections of Previous Docket Entries

(List original and corrected entries)

VI. Attachments as follows:

(Indicate by Form Number which of the following are attached:
Form FEP-3, FEP-4, FEP-5, FEP-6, FEP-7.)

* * * * *

If there is no material under a heading, omit it entirely in the report.

*U. S. Committee on fair employment practice
(1943-1946)*

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FIELD INSTRUCTIONS No. 20

Date: October 8, 1943

Ms4

TO: All Regional Directors

1.53

FROM: Will Maslow
Director of Field Operations

#16

RE: Discrimination Against American Citizens of Japanese Ancestry

The Committee has considered the problem of discriminatory employment practices against American citizens of Japanese descent and has decided that they are entitled to the protection of the Executive Order. The Committee takes the position that it cannot modify the Executive Order nor place one category of American citizens in a situation less favorable than citizens of other ancestry.

President Roosevelt in a message to the United States Senate on September 14, 1943 (Senate Document No. 96) emphasized this position when he stated:

"Americans of Japanese ancestry, like those of many other ancestries, have shown that they can, and want to, accept our institutions and work loyally with the rest of us, making their own valuable contribution to the national wealth and well-being. In vindication of the very ideals for which we are fighting this war, it is important to us to maintain a high standard of fair, considerate, and equal treatment for the people of this minority as of all other minorities."

The Committee is aware of the special problem involved in the placement of workers released from relocation centers and the more stringent clearance required for security reasons in the employment in war industries of workers of Japanese descent. It recognizes also the emotional reaction against the employment of persons of "enemy" extraction. In giving workers of Japanese ancestry equal protection under the Order, tact and care must be exercised in dealing with employers, labor organizations, or government agencies involved.

U. S. Committee on fair
employment practice
(1943-1946)

FIELD INSTRUCTION NO. 21

October 9, 1943

TO: All Regional Directors

From: Will Maslow
Director of Field Operations

RE: Satisfactory Adjustment of Complaints

X-HD 4903

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I. INTRODUCTION

Three major considerations are involved in the adjustment of every valid complaint. First, the discrimination against the complainant must be ended. Second, current acts of discrimination against other employees or persons similarly situated must be ended. Third, steps must be taken to insure an employment policy consistent with the Executive Order by obtaining commitments from the party charged which will tend to prevent future discriminatory acts.

II. GENERAL INSTRUCTIONS

The following instructions relate to all types of cases:

1. No oral agreement to effect compliance with the Executive Order should be accepted.
2. The requirement regarding written agreements may be satisfied in various ways, depending upon the complexity and importance of the case. In simple cases, a letter from the party charged to the regional office announcing or confirming the adjustment made will suffice. In other cases, additional requirements such as the submission of copies of letters sent to the complainants, the USFS, the union involved, etc., may be imposed. In major cases, an agreement should be entered into between the party charged and FEPC.
3. Where the discrimination is flagrant and is committed by a subordinate of the party charged, the ranking official of such party charged shall be asked to impose appropriate disciplinary action upon the offending subordinate and to take practical steps to insure against a repetition of such discrimination.
4. No agreement shall be entered into which is in conflict with the policies of the Committee, i.e., the imposition of racial quota system, a wage differential based upon race, etc.
5. No agreement shall be entered into which provides for segregated employment opportunities, even if it is claimed that such opportunities are equal and non-discriminatory, without the approval of the Committee. Expedited clearance actions will be provided for construction, short-term, or other transitory employment.
6. The specific provisions discussed below indicate the minimum adjustment which the Committee regards as satisfactory in all cases.

October 20, 1943

FIELD INSTRUCTION NO. 2 (Revised)

18

TO: All Regional Directors
FROM: Will Maslow, Director of Field Operations
RE: Case Reporting

X-HD 4903

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I. INTRODUCTION

The purpose of this memorandum is to describe a system of case reporting and to outline the type of reports to be made by the Regional Directors to the Director of Field Operations. While it is hoped that the Regional Directors will ultimately have as much autonomy, responsibility, and independence of action as possible, for the time being it is expected that they will need guidance. A system therefore is sought which will keep to a minimum the case reports of the Regional Directors, while properly informing the Director of Field Operations of the cases in the field. It is expected that this system of case reporting will be revised from time to time in the light of field experience.

II. TYPES OF REPORTS

The Regional Office will submit a docket card, which is the subject of Field Instruction Number One, and a summary or closing report for each case. In addition, a Weekly Report (required for control purposes) and a Compliance Report will be submitted.

The summary or closing report will be submitted generally at one of the following stages in the processing of a case:

1. After the case has been closed or finally disposed of (Final Disposition Report)
2. When closing is recommended (Recommendation for Final Disposition)
3. Where the Regional Director has exhausted all the means of settlement at the regional level (Request for Further Action by Director of Field Operations)
4. Where one month has elapsed since the filing of the case and none of the above reports has been submitted (Progress Report).

The Compliance Report will then be the subject of a separate field instruction.

FIELD INSTRUCTION NO. 22

October 20, 1943

X- HD 4903
. 254

TO: All Regional Directors

FROM: Will Maslow, Director of Field Operations

RE: War Manpower Commission Employment Stabilization Programs

After October 15, 1943, all employment stabilization programs formulated by War Manpower Commission are required to contain certain minimum provisions among them being the following:

Sec. 907.4 (j) Hiring The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

In addition, Section 907.2 (b) of WMC regulations require that all hiring and solicitation of work in areas where no program has been established shall be conducted in accordance with these minimum provisions, including the non-discrimination clause set forth above.

Since a violation of a provision of a stabilization program may result in the imposition of WMC sanctions, it is important for us to keep advised of these programs and their enforcement.

Regional Directors will accordingly:

1. Obtain from the appropriate WMC Regional Director a complete set of all stabilization programs in the region and keep this set up to date.
2. Keep the Director of Field Operations advised of local variants, improvements, sanctions, etc.
3. In processing cases, point out to employers charged their obligations under such stabilization programs.
4. In all case reports, describe the particular stabilization program which binds the party charged.

.2654

October 22, 1945

*U.S. Committee on fair employment practice
(1943-1946)*

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: WMC Form 42 and USES Form 510

Attached hereto is a copy of the new WMC Form 42 entitled "Report of Discrimination Training Practices." You will receive two copies of this form whenever WMC encounters discriminatory training practices, in accordance with Section B 3 of Operating Instruction No. 21 of WMC (See FEPC Field Instruction No. 4).

This report is to be docketed as a case with the source indicated as WMC. In your weekly report each listing of such a training case shall be preceded by a double asterisk (**). A copy of each WMC Form 42 shall be forwarded upon receipt to the Director of Field Operations.

Similarly, each listing of a USES 510 report shall be preceded on your weekly report form by an asterisk and a copy forwarded upon receipt to the Director of Field Operations.

Attachment

October 28, 1943

U.S. Committee on fair employment practice (1943-1946)

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: WMC Manning Tables and Selective Service Replacement Schedules

In addition to the ES 270 Report of Current And Anticipated Employment, useful information on the employment of non-whites, etc., can be obtained from the WMC Manning Tables and the Selective Service Replacement Schedule.

A Manning Table is a complete manpower inventory of the establishment using it. It indicates the different types of jobs, the number of persons in each job, and their sex and color. (The information as to color is, however, optional with the employer.) The tables also give estimates of training time for each job and a detailed estimate of future labor needs, indicating the expected number of upgrades, transfers, and recruitments from outside the plant. Job descriptions of certain classifications may also be given. These tables provide a basis for the orderly withdrawal of workers into the armed forces and serve as a foundation for the Replacement Schedule, which is submitted for approval to the Selective Service Administration.

A Replacement Schedule is designated to provide for the systematic replacement of men who are available for military service. It lists job titles by departments, the names of employees holding such jobs, and indicates future vacancies which will be created by induction in the armed forces. It contains no reference to color.

Manning Tables and Replacement Schedules shall be consulted, whenever available, in appraising complaints and employers' contentions in response thereto. Replacement Schedules may be examined at the regional offices of the Selective Service System, permission to do so having been given on July 26, 1943, by Colonel Campbell C. Johnson, Executive Assistant at the National Headquarters of the System. Manning Tables may be examined at the regional WMC offices but only when the employment practices of a particular employer are under investigation, or for the purpose of checking compliance.

Attached hereto are the following booklets explaining these tables and schedules entitled:

Instructions for Preparation of Manning Tables, Revised April 19, 1943.
Information Concerning Manning Tables, Revised April 19, 1943.
Instructions for Preparation of the Replacement Schedule, Revised to June 4, 1943.

Attachments.

U.S. Committee on fair employment practice
(1943-1946)

#22

X-HD 4903

.254

MEMORANDUM

TO: All Regional Offices

FROM: Bill Butler
Director of Field Operations

SUBJECT: Industrial Code Classification (See FD-202, 203, 204)

Effective January 1, 1947, the following "Type of Business" on our FD-202, 203, and 204 forms, which designating the industrial classification, have been added to in addition to the "Description".

The code numbers are defined in the attached memorandum of the Division of Field and Industrial Affairs, the instructions and forms attached.

Attachment

November 5, 1943

U. S. Committee on fair employment practices (1943-1946)

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: United States Civil Service Commission

#23

Rule 1, Section 2 of the Rules of the United States Civil Service Commission (See USCSC Compilation amended to November 30, 1941) forbids discrimination against or in favor of any applicant, eligible, or employee in the executive civil service because of race or religious opinions or affiliations. This rule was implemented at the October 15, 1941, meeting of the Commission when it agreed ".....to furnish the (President's) Committee with a copy of all complaints made to it alleging discrimination because of race, creed, color, or national origin and of the action taken by the Commission to investigate and correct any such justifiable complaints." Detailed instructions on the processing of such complaints were issued by the Commission on January 9, 1943 (Circular 3936) and on June 26, 1943 (Circular 3936 S1). Copies of these circulars are attached.

You will note that the Commission's reports are transmitted directly to the Committee. We in turn will forward such reports to the appropriate FEPC Regional Director.

These reports are to be analyzed by you to determine whether in your opinion the adjustment is satisfactory, according to the Committee's standards and policies. If you find it satisfactory, take no further action and list the Commission's report on your weekly report as a non-docketable complaint, for information only.

If you find the report is not satisfactory, docket it as a case, listing the source and USCSC (United States Civil Service Commission) and from that point on process the case according to regular procedures. Further inquiries may then be made of the local representative of the Commission, the governmental agencies complained of, and/or the party aggrieved. The date of filing on the docket card should be the date the Commission's report was received.

The Commission has taken the position that complaints by civil service employees about discrimination in working conditions are not within its jurisdiction. They are, however, obviously within ours. All such reports shall be treated as docketable cases.

If a civil service applicant, eligible, or employee, files his complaint directly with you, treat it as a docketable case and then negotiate with the agency complained of and/or the regional representative of the Commission. In discussing remedies, note that the Commission has taken the following position.

U.S. Committee on fair employment practice
(1943-1946)

#24

X-HD 4903
2154

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*U.S. Committee on fair employment
practice (1943-1946)*

December 1, 1943

#25

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Case Docketing

I. Introduction

The purpose of this memorandum is to describe the system of case docketing to be used by the Division of Field Operations and to explain the entries which will be made on the docket card attached hereto. The docket card will serve as a permanent record of case action. It will describe the type of case, give its present status, record all definitive action, and provide a variety of other information useful for review and analysis.

II. WHAT IS A CASE?

A. Definition

1. A case shall mean

- a. a signed complaint
- b. against a named employer, labor organization, or government agency
- c. alleging discrimination
- d. relating to employment, placement, or training
- e. because of race, color, creed, national origin, or alienage.

OR

2. Verified information as to discriminatory or improper advertisements, placement order, or application forms.

OR

3. Evidence of violation of the Executive Order reported by or referred by another Government agency.

B. Interpretation

1. An anonymous complaint shall not be considered a case.
2. If the complaint is defective in that it does not specify an essential fact, such as the name of the party charged, or the reason for discrimination, it shall not be docketed until such information is supplied.

U.S. Committee on fair employment practice
(1943-1946)

FIELD INSTRUCTION NO. 29

X-HD 4903

December 7, 1943

264

210

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Docketing of Multiple Upgrading Cases

I INTRODUCTION

The purpose of this instruction is to clarify the principles involved in the docketing of multiple upgrading cases. A multiple upgrading case is one in which numerous employees of one employer complain separately of a discriminatory failure to upgrade. The problem is shall these cases be docketed separately as one case or as several arranged according to issues? What we seek is to avoid distortion or padding of our case load figures.

II PRINCIPLES INVOLVED

- A. Never docket separately unless in all probability the final disposition will not be uniform or identical for all complainants. Thus, if ten Mexicans complain that no Mexican is given a foreman's job, docket as one case.
- B. Docket separately if the only relationship between different complaints is that they are against the same party charged. Thus, if a Negro complains of failure to promote to office work and another of a failure to promote to a welder's job, docket separately.
- C. Docket separately if the complainants belong to different minority groups.
- D. Docket separately if the complainants work at different plants or major departments.
- E. Do not docket separately because the job classifications vary somewhat, as long as the employees involved work under the same department head. Thus, complaints of failure to upgrade to a welder's and a caulker's job are to be deemed as one case.

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903

254

FIELD INSTRUCTION NO. 16 (Revised)

December 18, 1943

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Final Disposition Reports (Replaces pertinent portions of
Field Instruction No. 2, page 3, and Field Instruction No.
11, page 2.)

I. Time of Submission

The FDR shall be prepared and submitted as soon as possible after the case is closed.

II. Form

The FDR shall be submitted in triplicate, either on the lithographed forms previously distributed, or if you prefer, on plain bond paper. It should usually not exceed two pages.

III. "Investigation By"

This entry calls for the name of the Examiner, but if the investigation was conducted solely by correspondence, state "Correspondence" after the name, e.g. "Brown-Correspondence." If the investigation was conducted by WMC and an examiner, write "WMC-Brown," etc.

IV. "Reported By"

The FDR should preferably be written by the Field Examiner who investigated the case, since he is most familiar with it. If he is engaged in more pressing matters, it may be advisable to postpone the FDR until he is free.

V. Repetition

Do not repeat data in a FDR which is available in another FDR, merely refer to it. For example, under "Description of Party Charged" state "See 2-BR-17", etc. Be careful, however, to list changes in data previously recorded.

February 2, 1944*U.S. Committee on fair employment practice (1943-1946)*

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

SUBJECT: Racial Tension

The Division of Review and Analysis recently set up a national file on racial tension and conflict. The purpose of this project is twofold:

1. To enable the Committee to supply such data to other Government agencies which request it periodically, and
2. To assemble and correlate the widely scattered information on the subject, to summarize and interpret it in terms of the Committee's work, and to evolve, if possible, a set of techniques in interracial adjustment which may be of assistance to you in the settlement of difficult cases.

Please continue, therefore, to include in your Final Disposition Reports, a description of any racial tension related to the particular case, whether expressed in incidents between the workers in the plant, or in work stoppages, strikes, or violence. Discuss the solution of the difficulty, the techniques used, and indicate specifically the role played by management and the unions involved.

Secondly, in your weekly reports, please describe major race relations and organizational activities of your community and region generally which come to your attention. If you learn of racial tension, list the major focal issues, as they relate on the one hand to the employment of minority workers, and on the other to discord based upon inequitable social conditions, patterns of discrimination, or the competitive use of community facilities.

Initiated by

John A. Davis
Director of Review and Analysis

FEBRUARY 28, 1944

U. S. Committee on fair employment practice (1943-1946)

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: COMPLAINTS INVOLVING MARITIME OPERATORS AND UNION

#29

Because of the great accumulation of maritime cases in Region II (New York) and the specialized experience the regional staff has acquired thereby, it is desirable that the processing of all complaints involving deck, engine room, stewards' or licensed officers' departments of ship companies; maritime unions, and the War Shipping Administration be coordinated with the work of our New York office. This does not apply to shipbuilding companies or land personnel of ship companies or to the U. S. Maritime Commission. It also does not apply to a complaint in which the headquarters of the party charged is on the West Coast.

Hereafter when such a maritime complaint is filed, the procedures will be as follows:

1. Docket the case.
2. By personal interview or by letter obtain all the necessary information from the complainant.
3. If you desire any background material on the party charged or the problem, write directly to Mr. Lawson, copy to the DFO.
4. If the party charged or his representative is in your area, confer with him and seek adjustment; if the party charged is not in your Region transmit the entire file at once to the DFO, who will refer the case to Mr. Lawson.
5. In any event, if the case is not closed within 20 days after its receipt, transmit the entire file to the DFO, who will retain it or refer it to Region II. Upon request the DFO may extend this time.

If a complaint is filed in Region II and the party charged is located in another region, the complaint will be sent to the Central Office for transmittal to the proper region. If the complainant is in another region, Mr. Lawson will request the DFO for the cooperation of the appropriate regional director. Reports of such regional director will be submitted to the DFO for transmittal to Mr. Lawson.

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CONFIDENTIAL

30

EMPLOYMENT OF NEGROES
IN THE
LOCAL TRANSIT INDUSTRY

U.S.
President's Committee on Fair Employment Practice
Division of Review and Analysis

March 1, 1944

U. S. Committee on fair employment practice
(1943-1946)

#31

X-HD 4903

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R. D. No. 91

March 24, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: USES Handbook

Transmitted herewith for your information
is a handbook on "The United States Employment
Service and the Negro Work Applicant," issued by
the Bureau of Placement, War Manpower Commission.

Attachment

X- HD 4903

. 254

#32

FIELD INSTRUCTION NO. 1-B
(Amending Field Instruction No. 1
Revised December 1, 1943)

March 28, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

SUBJECT: REOPENED CASES

Cases closed for any reason and later found to have been improperly closed shall become active either by correcting erroneous closings or by reopening the case.

If the error is discovered within the calendar month, the case will become active by the deletion of the improper entry on your docket card and by advice of the correction on the next weekly report under No. VI "Docket Card and FDR Corrections."

If the error is discovered after the first of the month following the entry, the case shall be reopened by noting "Reopened" and the date of reopening in the blank space at the bottom of the column "Regional Disposition."

The second closing date will be noted in the proper space on the card even though there is another date already there.

Reopened cases, identified by "Reopened" in parentheses, will be reported in weekly reports on Form FEP-3, "Schedule of Cases Docketed."

U.S. Committee on fair employment practices (1943-1946)

X- HD 4903

.254

FIELD INSTRUCTION NO. 1-A
(Amending Field Instruction No. 1
Revised December 1, 1943)

MARCH 8, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: DATE OF DOCKETING

Effective immediately Field Instruction No. 1 (Revised December 1, 1943) is amended by striking the whole of paragraph V-R and substituting therefor the following:

DATE FILED

This will be the date the case is docketed, not the date the complaint was first received either by the central office or by the regional office.

INTERPRETATIONS

- I When, for example, a non docketable complaint develops into a docketable one the date of filing will be the date of docketing, not the date of original receipt.
- II When under multiple docketing a new card is indicated after the original docketing (see Field Instruction No. 29-A) the date of filing of the new case will be the date the new docket card is prepared. Thus where several complaints against the same party charged and involving several job classifications are docketed as one case because it seems that one adjustment will be adjustment for all complaints and it is later discovered that several problems are involved, the problems not adjusted at the same time will be redocketed as separate cases. In such instances the date filed shall be the date on which the new docket card is prepared.

*U.S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 35

MARCH 11, 1944

X-HD 4903

#31

.2154

TO: ALL REGIONAL DIRECTORS
FROM: Will Maslow
Director of Field Operations
RE: NATIONAL WAR LABOR BOARD

Attached hereto is a copy of a letter dated February 8, 1944 from Theodore W. Kheel, Executive Director of the National War Labor Board, setting forth an operating relationship between the FEPC and the NWLB. Likewise attached are a map showing the geographical boundaries of the various NWLB regions and a regional directory of the NWLB.

If you have not already done so, you should get acquainted with the Regional War Labor Board chairman in your area so that an informal relationship may be established.

Attachments

*U.S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 34

X- HD 4903

March 13, 1944

2154

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Suspension of WMC Services

At its meeting of March 4, 1944, the President's Committee authorized FEPC Regional Directors in appropriate cases to request WMC Regional Directors to suspend WMC services to parties violating the Executive Order.

The suspension requested shall be effective only until the Committee can make a final determination upon the issue involved.

The approval of the Director of Field Operations shall be requested in advance, preferably in writing. In emergency cases clearance may be requested by telephone, to be confirmed by a written request.

Clearance shall only be requested, however, if all of the following conditions are met:

1. The proposed suspension has been discussed informally with the WMC Regional Director and his informal approval obtained.
2. A request for a final determination by the Committee of the issue involved has been made.
3. The party charged has in your opinion flagrantly violated the Executive Order and deliberately refuses to cease or modify his discriminatory practice, provided that a bona fide dispute as to the Committee's jurisdiction shall not be an occasion for invoking suspension of WMC services.
4. The suspension requested appears to be a means of obtaining compliance with the Executive Order.

*U.S. Committee on fair employment practices
(1943-1946)*

FIELD INSTRUCTION NO. 10 (Revised)

36

X- HD 4903

March 18, 1944

, 254

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Regional Press Releases

The President's Committee, at its meeting of March 4, 1944, authorized Regional Directors to issue press releases on the satisfactory adjustment of cases, without prior approval of the party charged. The following procedures will be adhered to:

1. The press release will be prepared by you and submitted in advance for clearance, one copy to the Director of Field Operations and the other to the Information Specialist, Mr. St. Clair T. Pourné. In emergencies this may be done by telephoning the Director of Field Operations.
2. Emphasis in releases will be placed upon the cooperation rather than guilt of the party charged and the resulting gain to the war effort. The party charged may be named whenever this will effectuate the policies of the Executive Order.
3. In cases involving government agencies be sure to avoid any impression of controversy between government agencies.
4. The release will be issued locally by you, except on important cases when it will be issued simultaneously with a Washington release.
5. A report will be submitted later describing the coverage the release obtained, one copy to the Information Specialist, the other to the Director of Field Operations.

*U.S. Committee on fair employment practices
(1943-1946)*

X- HD 4903

.2154

R. D. No. 92

March 28, 1944

#37

TO: ALL REGIONAL DIRECTORS
FROM: Will Maslow
Director of Field Operations
SUBJECT: ESSENTIAL WAR ACTIVITIES

The Committee at its last meeting agreed

- a. that the Committee will regard an industry "a war industry" if it is classified as essential by the War Manpower Commission, unless there are facts present which warrant a different conclusion.
- b. that the Committee has jurisdiction over all types of employment in a war industry...
- c. that the Committee recognizes a distinction between workers who are employed only casually and intermittently...(Committee agreed not to take jurisdiction in a specific case of this type) and employees regularly but not constantly employed such as longshoremen as well as employees regularly employed in unskilled occupations such as janitors.

For your guidance in determining the extent of the Committee's jurisdiction, there is transmitted herewith a recent list of essential activities published by the War Manpower Commission.

U.S. Committee on fair employment practice
" (1943-1946)

#38

X-HD 4903

.U54

R. D. No. 94

April 1, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Suspension of Action on Alienage Cases

Confirming telegraphic instructions of March 29, 1944, no alienage cases will be processed until clarification of the Committee's jurisdiction in this type of case. All action on such complaints already docketed will be immediately suspended. New complaints alleging such discrimination will be docketed, if docketable, but no further action taken thereon except informing the complainant that action on his complaint will await clarification of the Committee's jurisdiction. Note, however, that the refusal to hire a citizen merely because he cannot produce a birth certificate is not a case of discrimination because of alienage. Such complaints should therefore not be docketed and the complaint should be referred to WMC for handling. (See attached WMC release dated July 6, 1942 on birth certificates.)

Attachment

U. S. Committee on fair employment practice
(1943-1946)

#39

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U54

R. D. No. 95

April 1, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Letters of Commendation

Copies of letters and other papers commending the Committee, your regional office, or members of your staff, which come to you or to your attention should be sent to the Director of Field Operations as soon as possible. Such material from management, other government agencies and influential persons is particularly important. You understand, of course, that you and members of your staff should not solicit such commendatory letters.

*U. S. Committee on fair employment practice
(1943-1946)*

#40

X-HD 4903
1154

R. D. No. 96

April 1, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
SUBJECT: Requests for Further Action (RFA)

Several regional offices have sent in poorly arranged files when requesting further action by the Director of Field Operations. In order that handling of cases may be expedited, please see that each file is completed in chronological order before referring it to the central office. Also, include a summary of the case, as required by Field Instruction No. 2, Section VI.

U. S. Committee on fair employment practice
(1943-1946)

#41

X- HD 4903

. 254

R. D. No. 97

April 1, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Regional WMC Actions on Discriminatory Hiring
Practices

Attached hereto is a copy of a memorandum recently sent by a regional WMC official to his state WMC directors. If you have had difficulties receiving reports from WMC on discriminatory hiring practices, you may wish to show this memorandum to the proper WMC officials in your region and to suggest similar action to obtain required reports.

Attachment

U.S. Committee on fair employment practice
" (1943-1946)

X- HD 4903

.2154

FIELD INSTRUCTION NO. 11 (REVISED)

APRIL 1, 1944

#42

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow, Director of Field Operations

RE: WEEKLY REPORT

Effective immediately, discontinue the use of weekly report forms outlined in Field Instructions No. 2 and 11 and R. D. No. 80 and follow the outline below. The report shall be submitted in triplicate each Monday; all regions except II, and III, and IV, shall use airmail.

WEEKLY REPORT

for the

Week Ending Saturday, _____, 1944

TO: Will Maslow, Director of Field Operations

FROM: _____, Regional Director, Region _____ Date _____

I. Outstanding Events

II. Contacts with Government Agencies other than WMC

III. Public Relations

IV. Questions for DFO

- | | |
|---------------------|--|
| A. General Policies | D. Fiscal, Administrative, and Personnel Problems |
| B. Specific Cases | E. Miscellaneous |
| C. Docketing | F. Questions Awaiting Answer. (Summarize problem and date of referral) |

V. Cases Referred to DFO

- | | |
|--------|--|
| A. New | B. Pending (List case number, date referred) |
|--------|--|

VI. Docket Card and FDR Corrections

VII. Comments and Suggestions

VIII. Weekly Caseload Figures

- | | |
|--|-------|
| 1. Pending cases beginning of week | _____ |
| 2. Cases docketed during week | _____ |
| 3. Cases reopened during week | _____ |
| 4. Cases closed during week | _____ |
| Cases satisfactorily adjusted | _____ |
| Cases closed otherwise | _____ |
| 5. Pending cases end of week (#1 / #2 / #3 - #4) | _____ |

IX. Attachments:

(Indicate by Form number which of the following are attached: Form FEP-3, FEP-4, FEP-5, FEP-6, the latter two forms being monthly reports. If no attachments, state "None.")

U.S. Committee on fair employment practice
(1943-1946)

#43

X-HD 4903

2154

R. D. No. 99

April 7, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

SUBJECT: The Attached Pamphlet, Its Use, Printing and Distribution

Attached you will find several copies of the forthcoming pamphlet, THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE - ITS BEGINNING AND GROWTH AND HOW IT OPERATES. These have been cleared for public distribution. The pamphlet, however, is now undergoing corrections and slight revisions and the development of a format for purposes of publication. When it is off the press a good supply will be sent you but no more of the mimeographed copies are now available.

The pamphlet is designed for distribution to interested civic groups, schools, other government agencies, labor unions and business establishments. Will you please make some estimate of the demand in your region and inform this office at once.

Attachment

Initiated by:

John A. Davis
Director of Review and Analysis

U. S. Committee on fair employment practice
(1943-1946)

#44

X- HD 4903

.2154

R. D. No. 100

April 8, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Assistance in Discovering Discriminatory
Advertising

Region XII recently entered into an arrangement whereby a student committee of the University of California will scan regularly the leading newspapers in the region for discriminatory advertisements on a volunteer basis and will make bi-monthly reports to our regional director.

It may be possible for you to work out similar arrangements with students, civic groups, anti-discrimination groups, or other volunteers in your region. Please report any such arrangements and keep us informed of your experience.

*U.S. Committee on fair
employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 29-A

(Amending Field Instruction No. 29)

April 12, 1944

X- HD 4903

1154

#45

TO: ALL REGIONAL DIRECTORS
FROM: Will Maslow
Director of Field Operations
RE: CONSOLIDATED CASES

Consolidated docketing procedures will be followed not only in multiple complaints involving upgrading, but also for every other type of discrimination within the jurisdiction of the Committee.

Satisfactory Adjustment

After a case consisting of more than one complaint has been docketed, it should be closed as satisfactorily adjusted only when the policies and practices of the party charged have been brought in line with Executive Order 9346 (see Field Instruction No. 21). This determination of satisfactory adjustment need not depend on redress of all the complainants, but should be based on the redress of a sufficient number to indicate that the party charged has actually put into practice a stated policy of non-discrimination. When this point is reached, the case should be closed as satisfactorily adjusted even though some individual complaints are still pending unadjusted. Such individual complaints should then be redocketed as individual cases, to be closed later as the facts indicate.

Dismissals

When a consolidated case is ready to be disposed of for varying reasons other than satisfactory adjustment, the complaints should be separated and redocketed according to the varying types of disposition. Such a consolidated case shall not be separated into component parts until at least half of the individual complaints are ready to be disposed of and when it seems likely that the disposition of the remaining complaints will be unduly delayed.

Thus, if a consolidated case consists of 10 complaints and investigation discloses that 2 should be dismissed on the merits, 3 because they had been withdrawn by the complainant and 5 for insufficient evidence, the 2 complaints dismissed on merits should be grouped together, redocketed as one case, and then that case dismissed on the merits; the complaints found to be without sufficient evidence should be similarly grouped and dismissed; and the 3 complaints withdrawn by the complainant should be grouped and the redocketed case dismissed for that reason.

In redocketing the component parts of the consolidated case, the date of docketing such parts will be the date of redocketing and not the date of docketing the consolidated case (see Field Instruction No. 1-A - II).

U.S. Committee on fair employment practice
(1943-1946)

X- HD 4903
.2154

R.D. No. 101

April 13, 1944

#46

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Guide to Study of Race Tensions.

With regard to Field Instruction No. 32, Racial Tension, I am attaching a guide to the study of race tensions which has been drawn up by the Division of Review and Analysis, and which indicates the kind of material in which that Division is interested.

This guide does not represent a list of questions which must be answered by you. It is merely an outline to give you some grasp of the Review and Analysis approach.

attachment

Initiated by John A. Davis
Director of Review and Analysis

U.S. Committee on fair employment practice
(1943-1946)

#47

X- HD 4903

.U54

R. D. No. 104

April 18, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Processing of Cases During Work Stoppages

Attached hereto is an important letter from the Chairman to Lt. Colonel John K. Collins of the Labor Branch of the War Department, stating generally the Committee's policy on the processing of cases during work stoppages. I should like to receive as quickly as possible the benefit of your comments on this policy, supported whenever possible by references to your actual experiences in these stoppages, so that we may determine whether definite rules can be formulated, and if so, what those rules should be. If you have no suggestions, please say so.

Please note however, that the statement in the Chairman's letter about beginning discussion of grievances during a strike was meant to refer to situations in which unsuccessful efforts to induce the return of the strikers had already been made.

Attachment

U.S. Committee on fair employment practices
(1943-1946)

#48

X-HD 4903

.U 54

FIELD INSTRUCTION NO. 16-A
(Amending Field Instruction No. 16
Revised December 18, 1943)

April 18, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Revision of Final Disposition Report

In order to enable us to determine readily

1. The length of time between the occurrence of the discrimination complained of and the date of filing the complaint
2. The length of time between such filing and docketing
3. The length of time between docketing and the initial contact with the party charged
4. The length of time between the closing and the submission of the FDR
5. Whether the contacts with the complainant and the party charged were face to face or by correspondence

Hereafter begin each FDR by submitting the following information under a heading "A - Chronology":

A. Chronology

1. Date of discrimination
2. Date of filing complaint
3. Dates of personal contacts with complainant
(If none, state so)
4. Date of docketing
5. Date of first contact with party charged
6. Dates of personal visits to party charged
(If none, say so)
7. Date of closing
8. Date of submission of FDR
9. Type of final disposition

Reletter other paragraphs of the FDR in order beginning with "B".

1154

FIELD INSTRUCTION NO. 11-A

(Amending Field Instruction No. 11

Revised April 1, 1944)

April 20, 1944

U.S. Committee on fair employment practices (1943-1946)

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Weekly Report (Eliminating Case Load Figures, FEP Attachments)

In order to reduce further the paper work required of regional offices, immediately following the submission of the report for the week ending April 20, 1944 the following changes in reporting procedure will be effective:

- A. Statistical data contained in Item VIII, Weekly Case Load Figures, and Item IX, FEP Attachments, will hereafter be submitted in triplicate as of the end of each month. As of May 31, 1944 and the last day of each succeeding month, you will therefore report statistically the total case action for the month, submitting in triplicate at the same time the schedules for cases docketed, cases closed, non-docketed complaints, cases referred to WMC, and reports received from WMC on cases referred. This statistical table should be presented in the following form:

MONTHLY CASE LOAD FIGURES

For _____ 1944
(Month)

- I. Cases pending at beginning of month _____
- II. Cases docketed during month _____
- III. Cases reopened during month _____
- IV. Cases closed during month _____
- a. Satisfactorily adjusted _____
- b. Dismissed on merits _____
- c. Dismissed for insufficient evidence _____
- d. Withdrawn by complainant _____
- e. Closed for other reasons _____
- V. Cases pending at end of month _____
(I + II + III - IV)

In order that preparation of monthly case load figures may be simplified, it is suggested that entries on docketing and final disposition be made daily on appropriate FEP forms. At the end of the month the daily sheets need only to be cumulated and forwarded to the central office.

(Over)

*U.S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 26-A
(Amending Field Instruction No. 26)

X- HD 4903

April 20, 1944

#50

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Civil Service Commission

Attached hereto is a copy of a self-explanatory letter from L. A. Moyer, Executive Director and Chief Examiner of the United States Civil Service Commission. You should at once confer with the regional director of the Commission in your region and attempt to negotiate a regional agreement. Seek to obtain the following:

- (1) An agreement by the Regional Civil Service Director to report to you on complaints of discrimination filed directly with the Commission.
- (2) An agreement to cooperate in the investigation of complaints of discrimination against government agencies in your area filed directly with FEPC.

Attached hereto is a regional directory of the Commission. Where the regional boundaries of the Commission do not coincide with our boundaries, make your agreement applicable only to the area for which you are responsible.

For your guidance, a copy of the regional agreement negotiated by Mr. William T. McKnight is attached.

Please keep us informed of these regional agreements and your experience under them.

Attachments - 3

U. S. Committee on fair employment practice
(1943-1946)

#51

X- HD 4903

.U54

R. D. No, 107

April 26, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

SUBJECT: Operational Statistics for Cases Docketed
and Closed March 1 - 31, 1944

Attached you will find a copy of Operational
Statistics for Cases Docketed and Closed March 1 - 31,
1944 which was compiled by the Division of Review and
Analysis.

Attachment

Initiated by:

John A. Davis
Director of Review and Analysis

*U.S. Committee on fair employment practice
(1943-1946)*

#52

X- HD 4903

2154

R. D. No. 110

April 26, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Navy Department Order, Race Designations on Identification
Badges

Attached hereto is a copy of a Navy Department Circular dated April 1, 1944 on the deletion from identification badges of race designations.

You will note that although the circular states that changes in badges already issued will not be necessary, it does not prohibit such changes. It is suggested, therefore, that you determine whether such badges are still being used in your region and that you discuss with the proper officials the practicability of eliminating the designation of race on badges already issued.

Since negotiations are still being carried on with the Navy Department with the view of eliminating race designations on badges already issued, please report your findings on the present use of such badges and the results of your discussions.

Attachment

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903
7654

#53

R. D. No. 112

May 2, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Analysis of Case Action
July 1, 1943 to April 1, 1944

The attached tables, prepared by the Division of Review and Analysis, give monthly figures on dockettings, closings, satisfactory adjustments, and the average number of cases closed per field examiner, for the period July, 1943 through March, 1944.

During this period, there were docketed 3,024 cases or an average of 336 per month. Total closings were 1,935, or an average of 215 per month. Of the 1,935 closed cases, 748 or 39% were satisfactory adjustments.

Since November, 1943, when all the field offices were opened, the number of cases adjusted satisfactorily was 590 or 188 a month. The number of cases closed during this same period was 1,525 or 305 a month.

It will be helpful for you to compare your average closings per examiner with that of other regions.

Attachment

U. S. Committee on Fair Employment Practices (1943-1946)

X- HD 4903
A54

MEMBERSHIP REQUIREMENTS OF LABOR ORGANIZATIONS

The Handbook of Labor Unions by Florence Peterson, just published by the American Council on Public Affairs, Washington, D. C., contains references to the membership requirements of 182 labor organizations. The tables below based on information contained in the Handbook list those unions whose constitutions either set up requirements of race, color, creed, national origin, or citizenship as prerequisites to membership, or else forbid discrimination based on such grounds. The omission of a labor organization from one of the tables merely means that its constitution contains no reference to minority status. Note that these tables are based upon constitutional provisions only, not upon actual practice.

I. Unions Whose Constitutions Forbid Discrimination Because of Race, Color, Creed, or National Origin (38)

A. C.I.O. Unions (25)

Automobile, Aircraft and Agricultural
Implement Workers of America, United

Cannery, Agricultural, Packing and
Allied Workers of America, United

Electrical, Radio and Machine Workers
of America, United

Farm Equipment and Metal Workers of
America, United

Fur and Leather Workers Union,
International

Any worker within jurisdiction of union may become a member "regardless of religion, race, creed, color, political affiliation or nationality."

All persons in the trade "are eligible for membership regardless of skill, age, sex, nationality, color, religious or political belief, or affiliation."

All persons working within jurisdiction are eligible for membership regardless of "skill, age, sex, nationality, color, religious or political belief or affiliation."

All workers within the union's jurisdiction "regardless of skill, age, sex, nationality, color, religious or political belief or affiliation" are eligible for membership.

All workers are eligible "regardless of sex, race, creed, color, nationality, or political belief or affiliation."

U.S. Committee on fair employment practice
(1943-1946)

#55

X-HD 4903
2154

R. D. No. 115

May 9, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Absence of Regional Director from Office

On many occasions, it is necessary for the central office to call a regional office on an urgent matter. Frequently, the Regional Director may be in another section of the region and cannot be reached immediately by telephone. For this reason, it is important that the examiner left in charge of the office be informed as to the latest developments on important cases being handled by you. This can usually be done by leaving a written memorandum with such examiner-in-charge.

Will you also please send us your itinerary and telephone numbers at which you can be reached when you will be out of the office for more than twenty-four hours.

X-HD 4903

.7154

FIELD INSTRUCTION NO. 1C
(Interpreting Field Instruction 1, II-A-3.)

May 20, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Docketing Cases on ES 270 Reports.

The fact that an ES 270 Report discloses few or no non-whites employed is not in itself the basis for the docketing of a case, since such statistical data does not in itself establish discrimination.

If the statistical data raises a presumption of a discriminatory policy, investigate other WMC data, such as USES orders and the report of the WMC Labor Utilization Specialist. Only when direct evidence of discrimination is encountered, should a case be docketed.

If an ES 270 Report, however, reveals evidence of discrimination other than the circumstances of few or no non-white employed (such as a narrative statement of discriminatory policy), the case shall be docketed immediately and processed in the usual manner, the source being listed as ES 270.

Since certain WMC Regional Directors object to our proceeding against employers, solely on the basis of the semi-confidential ES 270 Report, this entire problem should first be discussed with the WMC Regional Office before case action is instituted.

If you are unable to resolve any differences between yourself and the Regional Office, WMC, the matter should be referred to the central office for adjustment at this level.

U. S. Committee on fair employment practice
" (1943-1946)

FIELD INSTRUCTION NO. 36

MAY 30, 1944

X- HD 4903

2154

#57

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: Office of Labor Production, War Production Board

Attached hereto is an agreement between FEPC and OLP and a directory of the OLP regional offices. OLP regional representatives may be of help in cases in which a labor organization is responsible in whole or in part for discriminatory practices. Generally whenever a union of the American Federation of Labor is involved the case will be handled by the AFL representative of OLP in the region; when the union involved is affiliated with the Congress of Industrial Organizations, the case will be handled by the CIO representative of OLP.

Note our obligations under paragraph 4-a and 4-b of the Agreement to notify the OLP of labor difficulties affecting war production and of alleged discriminatory practices in which a union is involved. The individual to be notified is the Regional or Associate Regional labor Representative of OLP. Whenever possible enlist the cooperation of such OLP representatives.

List all contacts with OLP and the result of such contacts in your weekly reports.

U. S. Committee on fair employment practice
(1943-1946)

#58

X- HD 4903

1154

FIELD INSTRUCTION NO. 5-A

JUNE 1, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: Correspondence with Parties Charged

We have occasionally noticed that letters to parties charged from our regional offices are so formal in tone that they give the impression of being peremptory. Please review your correspondence in the spirit of self-criticism and eliminate expressions that may be misunderstood. Use conciliatory expressions and especially phrases like "I should appreciate it," or "Will you be good enough to," instead of coldly formal words like "It is hereby requested."

Similarly, do not detail in the initial letter to a party charged all the affirmative and negative requirements of a satisfactory adjustment, but try to discuss such issues face to face around a conference table. Likewise, do not request parties charged to issue elaborate instructions even when the violation of the Order is undisputed without giving them an opportunity to present their version of the facts.

Remember that a tactful approach and a forthright position are not incompatible.

*U.S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

1254

FIELD INSTRUCTION NO. 21-A

JUNE 2, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: Satisfactory Adjustment of USES 510 Cases

USES 510 Reports on which cases may be docketed are generally of two types:

1. Those in which the sole evidence of discriminatory practice is the specification by parties charged that referrals be restricted to persons of certain races, creeds, colors, or national origins.
2. Those in which the evidence is a refusal of the parties charged to employ persons referred because of their race, creed, color, or national origin.

A Specification Case in which there is no evidence of actual refusal to employ specific persons shall be disposed of as "satisfactory adjustment" if the examiner is satisfied by written commitments, instructions, or notices that the discriminatory policy of the party charged has been changed, notwithstanding employment statistics showing no non-whites. In such cases, however, a check should be made after a month, with WMC or with the party charged, to determine whether there is evidence of discriminatory practices. Such evidence may be discriminatory specification to USES since the closing, refusal to employ specific persons because of race, creed, color, or national origin, or subsequent statements by the party charged that no Negroes will be employed. The mere fact that no persons of minority groups have been employed since the date of the settlement is not sufficient to support a charge of discrimination. In the event that evidence of discrimination or of discriminatory policy is found, the case will be reopened and further efforts made to eliminate the discriminatory policy and/or practices (See Field Instruction L-B).

Referral Cases, however, are not to be closed as "satisfactory adjustment" when the persons referred are still available for employment, unless, in addition to written commitments, instructions, or notices from the party charged, the person found to have been refused employment because of his race, creed, color, or national origin, is either hired by the party charged, offered employment, or if no jobs are available, is placed on a preferential list for employment (See R. D. No. 48). In cases involving a number of parties aggrieved, the case may be closed as "satisfactory adjustment" when a sufficient number of parties aggrieved have been redressed to satisfy the examiner of the good faith of the party charged. In this connection it is suggested that you urge USES offices to keep on file the names and addresses of persons discriminated against because of race, creed, color, or national origin.

*U. S. Committee on fair employment practice
(1943-1946)*

JUNE 16, 1944

X- HD 4903

#60

TO: ALL REGIONAL DIRECTORS
FROM: Will Maslow
Director of Field Operations
RE: War Shipping Administration

2154

Attached hereto is a field instruction entitled "Non-discrimination in assigning seamen" which has been issued by the Recruitment and Manning Organization (RMO) of War Shipping Administration (WSA). Likewise attached is a regional directory of RMO.

As you know, WSA, a war agency created by Executive Order 9054, has requisitioned and operates the American Merchant Marine fleet through corporate agents selected by it. As part of its duties WSA, acting through RMO's regional offices, recruits and refers seamen to vessels, operating somewhat like a USES office.

You will note that the RMO instruction requires referrals to be made without discrimination in accordance with a rotary hiring system. Deviations from such system are to be reported to the Washington officer of WSA. By separate agreement with FEPC, Mr. Hubert Wyckoff, the Assistant Deputy Administrator for Maritime Labor Relations, has undertaken to furnish us with copies of any reports of discrimination and upon request to discuss them with us.

You should at once visit the local offices of RMO in your region, discuss the RMO instruction 42, ask to be kept informed of problems arising out of the application of Executive Order 9346, and offer your help in attempting to solve such problems. You should likewise request such local representatives to refer to you any persons who complain of discriminatory employment practices by maritime operators or unions within our jurisdiction.

Nothing herein contained supersedes Field Instruction 33.

U.S. Committee on fair employment practice (1943-1946)

X- HD 4903

.. 2154

461
FIELD INSTRUCTION NO. 2A
(See also RD 64 and 96)

JUNE 20, 1944

TO: ALL REGIONAL DIRECTORS
FROM: Will Maslow
Director of Field Operations
RE: DFO Cases

After cases are referred to Director of Field Operations as unadjustable at the local level, regional offices will take no further action thereon without instructions from the central office. If in the processing of other cases against the same party charged or otherwise, offer of satisfactory adjustment of the DFO case is made, such offer will be immediately transmitted to the Director of Field Operations by teletype. If DFO negotiations permit, the case and file will be returned to the field for further action at the local level.

Returned DFO cases will be noted on FEP-4 forms under a special heading with date of return and will also be noted on docket cards.

U.S. Committee on fair employment practice (1943-1946)

#62

X- HD 4903

.2154

FIELD INSTRUCTION NO. 2B

JULY 4, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: References to Examiners in Reports

It is important for us to know the names of the Examiners handling cases or other matters referred to in reports to the central office! This will assist us in appraising the effectiveness of our field Examiners. Hereafter, in any report, add the examiner's name to any item on matters on which he has been working, even though under your general supervision.

*U. S. Committee on fair employment practice
(1943-1946)*

#63

X- HD 4903

.U54

FIELD INSTRUCTION NO. 2C
(See also R.D. 64 and R.D. 96)

JULY 11, 1944

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: Parties Aggrieved in RFA Cases

Recently several cases have been referred to the Director of Field Operations with Requests for Further Action, the files on which contained no complaints from persons allegedly aggrieved, although there was evidence that such complaints had come to the attention of the Regional Directors.

The Legal Division, to which these cases were in turn referred, hesitates to recommend hearings and the Committee is reluctant to hold hearings on cases in which there are no complaints alleging personal discrimination relating to employment.

In the future all cases involving persons allegedly discriminated against and referred to the DFO as unadjustable at the regional level must have in the files written complaints signed by the parties allegedly aggrieved.

This does not mean that cases based solely on evidence other than personal discrimination (advertisements, written statements of a discriminatory policy etc.) should not be referred to the DFO when all means to adjust at the regional level have been exhausted.

*U.S. Committee on fair employment practice
(1943-1946)*

#64

X-HD 4903

.2154

FIELD INSTRUCTION I-D
(Interpreting paragraph V-M)

July 31, 1944

MEMORANDUM

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Source when complaint is received in the field

When examiners away from the regional office receive complaints, the entry "complainant, visit" under "Source" on the docket cards shall be followed by the letter "F" to indicate that the complaints were received in the field and the complainant did not actually visit the regional office.

*U.S. Committee on fair employment practice
(1943-1946)*

X-HD 4903

2154

FIELD INSTRUCTION NO. 37

August 1, 1944

*#15
65*

MEMORANDUM

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Compliance Reports

Effective immediately compliance check-ups and reports thereon will be made on all satisfactorily adjusted cases. A certain proportion of your work each month must include such compliance check-ups and reports, even though the pendency period on active cases may be somewhat lengthened thereby.

The following principles and rules will be observed:

1. Only cases previously closed as satisfactorily adjusted shall be the subject of compliance check.
2. In preparation for a compliance visit, check USES for orders since the date of the settlement, the ES 270 since such date, any other data WMC has on the party charged (particularly the report of the Labor Utilization Specialist), and other data from other sources. Whenever there is a complainant or party aggrieved in the case, write to him requesting information regarding his status and the current employment policies of the party charged. In Government cases, check with the Civil Service Commission.
3. A personal conference with a responsible officer of the party charged should be held, preferably at the plant, except in the rare situations where the plant is difficult of access and the value of such a visit is problematical.
4. In seeking an appointment for a compliance visit, avoid giving the impression that you are attempting to check up on the good faith of the party charged; rather, explain that you would like to discuss its experience, to offer your help in meeting problems, and to evaluate its success in revising its policies.
5. Even if the data described above indicate marked improvement in the employment policies, the compliance visit shall still be made.

AUGUST 8, 1944

U. S. Committee on fair employment practice (1943-1946)

TO: ALL REGIONAL DIRECTORS

FROM: Will Maslow
Director of Field Operations

RE: UAW-CIO Agreement

#66

Under a recent agreement with the United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), the following procedures will be observed in handling cases involving any UAW-CIO local officer or plant where a UAW-CIO local exists or any organizing campaign is in progress:

1. Send to the War Policy Division of the International UAW-CIO, 411 West Milwaukee Avenue, Detroit 2, Michigan, as soon as a prima facie case has been developed, a summary of the complaint together with a request for any desired action by UAW-CIO thereon.
2. Before the case is referred to the Director of Field Operations as unadjustable at the regional level, inform the War Policy Division, UAW-CIO of the proposed referral to the Director of Field Operations with a summary of efforts made to adjust the matter. Regional Directors are to use their own discretion in setting a time limit on any proposed action by UAW-CIO but will not unduly delay referrals of unadjustable cases to the Director of Field Operations.

UAW-CIO has agreed that its War Policy Division will

1. Cooperate with FEPC's regional offices in their investigations of all cases on which digests of complaints and/or information on unadjustability at the regional level have been sent;
2. Issue written instructions to all UAW-CIO personnel designed to implement this cooperative understanding and send copies of these instructions to each FEPC regional and sub-regional office;
3. Confer with FEPC examiners and local and field representatives of UAW-CIO in an effort to satisfactorily adjust, in accordance with FEPC policy, all cases brought to its attention.

U.S. Committee on fair employment practice
(1943-1946)

#17
61

X-HD 4903

2154

FIELD INSTRUCTION NO. 26B

August 11, 1944

MEMORANDUM

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Civil Service Commission

Attached hereto is correspondence exchanged between Mr. Malcolm Ross, Chairman of FEPC, and Mr. Harry B. Mitchell, President of the United States Civil Service Commission. It is important to note that Mr. Mitchell's letter dated July 19, 1944, contains the following advice:

1. If it is established to the satisfaction of the Commission that in connection with making his selection from the three names certified considerations other than merit and fitness, for example race, had a controlling influence on the appointing officer, the Commission would have full authority to disapprove any selection thus made.
2. Assignments of employees of a department or agency outside of their regular status under the Classification Act of 1923, as amended, are subject to review by the Commission after 120 days. Also where it appears that a promotion or transfer has been made on the basis of race, politics, or religion, the Commission may investigate and in all proper cases require remedial action.

These two points indicate that important supplemental action may be taken by the Commission where FEPC determines that Executive Order 9346 has been violated. It is therefore suggested that in cases where discrimination has been shown in hiring, upgrading, or transfers you call upon the regional representatives of the Civil Service Commission to take the action set forth in Mr. Mitchell's letter;

*U.S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 39

August 16, 1944

X- HD 4903

2154

#67

TO: All Regional Directors

FROM: Will Maslow, Director of Field Operations
Theodore A. Jones, Administrative Officer

RE: Employment of Intermittent Consultants

I. PURPOSE

Because of our small staff, our extremely limited travel allowances, and the long distances our regional staffs must cover, it is important for us to supplement the efforts of our field examiners by using consultants and volunteers in key cities throughout the regions. These consultants would be utilized for any service except that of conferring with parties charged. In addition, they would within their territories and under your supervision engage in public relations work designed to explain FEPC's functions and program.

II. COMPENSATION

Beginning October 1, 1944, we will have available for this purpose, approximately \$1000 a month, or roughly one hundred dollars for each region. Consultants may be appointed either on a without compensation basis or at the rate of \$3200 per annum which is equivalent to \$10.55 a day. Of course every effort should be made to make appointments on a WOC basis. In emergencies transportation and the \$6.00 per diem can likewise be furnished, but only sparingly since your present regional travel allotment will not be increased because of this program. We hope rather that these consultants will enable you to make greater use of your present travel allotment. No limit will be placed upon the number of consultants you may appoint as long as your monthly regional allotment is not exceeded.

III. APPOINTMENT

You should begin at once interviewing likely candidates, submitting regular Civil Service 57's, and a brief memorandum stating the area in which the consultant will work, the compensation (if any) to be paid, and any qualifications not on the form 57. Clearance will be given by us effective October 1, 1944, as soon as the regional allotments can be calculated. If possible a complete list of nominations for your region should be submitted at one time.

*U. S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 38 (Revised)

X- HD 4903

August 26, 1944

2154

#69

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: UAW-CIO Agreement

In an effort to promote union cooperation in the adjustment of complaints of discrimination involving the United Automobile, Aircraft and Agricultural Workers of America, FEPC and UAW-CIO have agreed upon the following case handling procedures for all cases in which the UAW-CIO is the party charged or where a UAW-CIO local or organizing committee is in existence in the plant of the party charged:

1. After the case has been docketed and it appears sufficiently meritorious to warrant a contact with either the employer or the union, send to Mr. Victor G. Reuther, Assistant Director, War Policy Division of the UAW-CIO (411 West Milwaukee Avenue, Detroit 2, Michigan) a summary of the complaint, the findings to date, and a statement of what action, if any, is or will be required of the UAW-CIO local or organizing committee.
2. Before any such case is referred to the DFO as un-adjustable at the regional level, send a summary of the case to the War Policy Division, specifying what action is desired from the International UAW-CIO. You may set a reasonable time limit on UAW-CIO action, after which referrals to the DFO will be made.
3. Examine your present active case load and send the War Policy Division statements similar to that described in paragraph "1" above for all cases covered by this instruction (Lines 4-6).

UAW-CIO has agreed that its War Policy Division will:

- a. Cooperate with FEPC in the investigation and adjustment of all cases referred or brought to the attention of the UAW-CIO.
- b. Issue written instructions to all UAW-CIO personnel designed to implement this cooperative understanding and send copies of these instructions to each FEPC regional and sub-regional office.

Copies of all memoranda sent to the War Policy Division will simultaneously be transmitted to the Director of Field Operations.

U.S. Committee on fair employment practice
(1943-1946)

#70

X-HD 4903
2654

R. D. 121A

August 29, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Byrnes Directive

Attached hereto are letters to
and from Justice Byrnes which explicitly
state that Executive Order 9346 is not
subordinate to the Byrnes directive of
August 6, 1944.

Attachments

*U. S. Committee on fair employment practice
(1943-1946)*

FIELD INSTRUCTION NO. 8

September 13, 1943

X-HD 4903

254

71

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Operations Bulletin No. 1

Transmitted herewith are several copies of Operations Bulletin No. 1 issued February 1, 1943, for your information and guidance. A copy should be furnished each member of your staff.

In a number of respects this Bulletin is obsolete and is therefore being revised by separate field instructions, but valuable information may still be obtained from it. It is to be followed, however, except to the extent that it is inconsistent with any field instructions or field letters.

Note particularly the following important portions of the Bulletin which are no longer in effect.

1. Executive Order 9346 has amended Executive Order 8802. (Notes 1, 2, and 3.)
2. The agreement between FEPC and WMC makes obsolete Note 4 and 5, and pages 2 and 3.
3. The material on reporting, filing and form letters (Note 26 to 29, and pages 29 to 34) is superseded by Field Instruction 1, 2, and 5. An instruction on filing is now being prepared.
4. The material on jurisdiction as to party charged will be superseded by Field Instruction No. 7 which will be issued shortly.

X- HD 4903

. 1154

September 15, 1943

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Filing System

I. Docket Cards

These cards should be filed serially and kept in a separate card container. As soon as a case is closed, the docket card should be removed and filed in a separate container to be used for closed cases.

II. Party Charged Index

A 3 x 5 card shall be prepared for each party charged whether the case is docketed or non-docketable, listing the name of the party charged and the case number on one line near the top of the card. These cards shall be filed alphabetically by party charged. Enter subsequent cases against the same party charged on the same card.

III. Complainant Index

A 3 x 5 card shall be prepared for each complainant listing the name of the complainant, the name of the party charged, and the case number. If the case is non-docketable, state after the name of the party charged "Non-docketable" and give the date of filing. Complaints filed by the same complainant against more than one party charged shall be entered on the same card.

Complainant index cards shall be filed alphabetically by name of complainant.

IV. Filing

The files should be letter size and the following classification system used:

A. Docketable Cases

File alphabetically by party charged.

B. Non-docketable Cases

File alphabetically by complainant.

U. S. Committee on fair employment practice
(1943-1946)

#73

X- HD 4903

.2654

Field Instruction No. 7A
(Supersedes R. D. No. 92)

September 16, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Jurisdiction of FEPC as to Parties Charged

Attached hereto is a statement adopted by the President's Committee clarifying the extent of its jurisdiction over "war industries," government contractors, federal establishments, and labor unions. This statement supersedes any previous inconsistent instructions and eliminates the necessity of using the WMC list of essential industries as a guide to jurisdiction.

Any questions arising from actual complaints filed shall as in the past be submitted to the DFO before contact with the party charged.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

#74

X-HD 4903

2154

R. D. 123

September 19, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Compliance Reports

Field Instruction No. 37, dated August 1, 1944 requires our regional offices to spend at least 10% of their time on compliance check-ups and to report such activity on the statistical monthly report.

Only two regions have even begun such programs. This is a poor and disturbing showing.

Compliance check-ups not only assist us in evaluating the effectiveness of our settlement technique and our entire approach to our case load, but also afford important contacts with non-discriminating employers. Such contacts are particularly useful when employers are concerned about reconversion and mass lay-off problems. Your knowledge of these problems will help in formulating a position on the application of seniority to minority groups.

You are requested therefore to proceed with this compliance program in accordance with Field Instruction 37 reporting such activity in your next monthly report. If you have any special difficulties or misgivings, let us know about them.

U. S. Committee on fair employment practices
" (1943-1946)

X-HD 4903

2154

Field Instruction 16-C

September 22, 1944

75

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Final Disposition Withdrawn by Complainant

The following interpretations will clarify the use of the disposition withdrawn by complainant:

A. The disposition withdrawn by complainant is reserved for those cases in which

1. the complainant is the only person affected,

and

2a. he alleges that the discrimination has ended,

or

2b. there is no other evidence of a discriminatory policy of the party charged.

B. The disposition withdrawn by complainant will not be used

1. After contact with the party charged. (Use satisfactory adjustment or dismissed on merits.)
2. Before contact with the party charged where a prima facie case has been made by the complainant, other persons may be affected by the alleged discrimination, and his testimony is not essential to the further processing of the case. (Continue processing.)
3. Before contact with the party charged where the proposed withdrawal is based upon the inability or unwillingness of the complainant to make out a prima facie case. (Use insufficient evidence.)

X-HD 4903

September 23, 1943

2#

2154

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Identifying Parties Charged in Announcement of
Settlements

The Committee has decided not to disclose, without their permission, the identity of parties charged, who satisfactorily adjust complaints made against them. The Committee, however, desires to publicize these settlements, if such permission can be obtained. Will you, therefore, each time a case is satisfactorily adjusted, obtain in writing from the party charged its permission to disclose the settlement.

It may facilitate matters if you explain that the public announcement is for the purpose of reflecting credit upon the party charged and to stimulate similar settlements and is not intended to carry the imputation that the party charged was guilty of a violation of the Executive Order, which was only corrected after Federal intervention.

If absolutely necessary, a promise may be made to a reluctant party that the text of the press release announcing the settlement will be submitted to him for approval.

U. S. Committee on fair employment practices (1943-1946)

Field Instruction No. 16-D
(Supersedes Paragraph X of
Field Instruction 16, Revised)

X-HD 4903

2154

September 25, 1944

#77

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Final Dispositions Insufficient Evidence
and Dismissed on Merits

The following interpretations, effective immediately, will govern the use of the dispositions insufficient evidence and dismissed on merits, and supersede inconsistent instructions in Field Instruction No. 16 (Revised).

A. Insufficient Evidence

This disposition shall be used only where cases are closed before contact with the party charged. It represents your determination that the complainant has not made out a prima facie case. In other words, the case is so weak that it does not even justify an effort to obtain the version of the party charged. The purpose of this disposition is to screen out such worthless complaints without subjecting parties charged to the burden of disproving them. This disposition indicates to the public that we do not accept at face value every complaint made to us.

B. Dismissed on Merits

This disposition shall be used where, after contact with and answer from the party charged, a review of all the available evidence, including that offered by the party charged, convinces you that the complainant either has not suffered unequal treatment, or that, if he has, the treatment was based upon factors other than race, color, creed, or national origin. This disposition shall be used even if for some reason all the information you would like to have is not available, so long as you have had contact with the party charged. The term "contact" does

September 26, 1944

*U.S. Committee on fair employment
practice (1943-1946)*

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Civil Service Commission

X-HD 4903

, 1154

We have been informed by the United States Civil Service Commission that the following instructions, which we have approved, have been incorporated in the revised text of the Commission's manual on procedure:

"When a complaint is received in the central office involving administrative matters over which the Civil Service Commission has no jurisdiction, the letter is forwarded to the appropriate office of the President's Committee on Fair Employment Practice. At the same time the complainant is advised that the matters concerning which he complained are not within the jurisdiction of the Civil Service Commission, and that his letter has been forwarded to the President's Committee on Fair Employment Practice (specifying the particular office) for consideration, and if he does not desire the President's Committee to take action to investigate the matter, he should so advise the Committee within the next ten-day period. The President's Committee on Fair Employment Practice has advised that it will not take action on any such complaint for ten days; if no communication is received by the Committee from the complainant within ten days withdrawing the complaint, the Committee will then take appropriate action to initiate an investigation.

"If the complaint is received by one of the Commission's regional offices and involves a position in the field, the same action outlined in the foregoing paragraph is taken by the regional office. In addition, copies of the complaint and the correspondence involved in handling the complaint are sent to the Commission's central office for review and indexing. In the event that there is a question as to whether the Commission has jurisdiction, or as to the action that should be taken in connection with matters concerning which complaint is made, the regional director may refer the case in question to the central office for advice before taking other action."

U. S. Committee on fair employment practice
(1943-1946)

79

X-HD 4903

.U54

Field Instruction No. 27-A

October 5, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
SUBJECT: Industrial Code Classification Correction

Correction is hereby made in FEPC Code No. 34, which now serves as the index for "Private Educational Institutions and Agencies, etc." Disregard the word, "Private," inadvertently used, and hereinafter consider in this category all educational institutions and agencies.

Initiated by:

John A. Davis
Director of Review and Analysis

U.S. Committee on fair employment practice (1943-1946)

Field Instruction No. 30-A

October 5, 1944

X-HD 4903

.264

#80

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

SUBJECT: Designation of Labor Unions on Docket Cards

Attached hereto is the July 1944 Directory of Labor Unions prepared by the Bureau of Labor Statistics of the U.S. Department of Labor. This revised directory is to be used in place of the one for April 1943 previously sent to you.

The code initials which are to be followed in making entries on the docket cards have been listed on the left-hand side of each page of the directory. There is no change in the system which you have been using. Please begin to use this new directory immediately.

Initiated by:

John A. Davis
Director of Review and Analysis

Attachment
Office Copy Only

October 17, 1944

U. S. Committee on fair employment practice (1943-1946)

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Order of Processing Cases

#81

X- HD 4903

.454

We have been increasingly concerned over the size of our case load and our failure to cut into the backlog. We realize that to burden a field examiner with an average load of 60 cases and then in addition to expect an effective compliance and public relations program is asking the impossible. In an effort, therefore, to cope with the problem, we are considering the institution of a priority system in processing cases.

There are several different types of priority systems. We might, for example, process a case in the order in which it was filed, or, on the other hand, work on the most recent cases first, postponing our old cases indefinitely. We might give preference to the cases involving the largest number of employees or perhaps select for prior handling those cases involving job classifications hitherto barred Negroes or other minority groups.

Instead of any of these methods, we suggested to the Committee a new plan based upon the post-war significance of the party charged. Under this plan, cases would be processed in this order:

1. Industries, including government agencies, within our jurisdiction having a post-war significance in which Negroes have not been employed in any significant proportions, e.g., transportation, public utilities, cotton textiles, rubber, oil refining, etc.
2. Industries, including government agencies, within our jurisdiction having a post-war significance in which Negroes have been employed in significant proportions, e.g., foundries, mines, etc.
3. War industries, including government agencies, which will not survive the war, e.g., small arms and ammunition, aircraft, ship-building, etc.

Of course, any system accepted will not be a mechanical one, but will be adapted to regional differences and exceptional conditions. Any priority plan will merely be a guidepost for the regional director, not a set of binding rules. Thus the type of job classification involved in a case may be more important than the type of industry involved. Finally, since our prime concern is, of course, to aid in the fullest utilization of manpower for the war effort, our first efforts will always be directed towards that end.

The Committee is considering this proposal and is interested in your comments. Please consider this plan at your next staff conference and transmit your views to us as quickly as possible.

U. S. Committee on fair employment practice
(1943-1946)

R. D. No. 126

#82

X- HD 4903

.U54

October 19, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Labor Market Reports, WMC

The area labor market reports of WMC (or whatever they are called locally) are often an exceedingly fruitful source of information on discriminatory employment policies. You should get and study all such reports for your region regularly, and then take up with WMC any discriminatory practices revealed.

We should like to learn whether these reports are readily available to you, whether they contain useful information, and what your experiences have been when evidence of discrimination contained in such reports has been called to WMC's attention. Please let us hear from you as soon as possible.

*U.S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

.U54

Field Instruction No. 38-A

October 20, 1944

#83

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: UAW-CIO Policy Manual

Attached hereto is a copy of that portion of
the UAW-CIO policy manual which deals with the Committee
on Fair Employment Practice.

Attachment
Office Copy Only

U.S. Committee on fair employment practice
" (1943-1946)

X-HD 4903

1154

R. D. No. 127

October 21, 1944

#84

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Docket Card and FDR Corrections

Several regional directors are reporting by memoranda changes in final dispositions. Such memoranda are unnecessary unless you disagree with the recommended dispositions. It is important however that the changes be reported in your weekly reports under Docket Card and FDR Corrections. This is the only report used by the central office to make such corrections. Please review your corrections and if any have been reported solely by memoranda, report them again on your next weekly report according to Field Instruction 11-A, Paragraph B.

U. S. Committee on fair employment practice
(1943-1946)

#85

X-HD 4903

2154

R. D. No. 128

October 25, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Distribution of Weekly Reports

We have begun the practice of circulating in other regions those weekly reports which contain information of interest to other regional directors. Whenever you believe any of your weekly reports will be of interest to the field, please make up an extra set of 8 on thin paper and transmit them to us along with your regular set of 3. We will then distribute the extra copies throughout the country. Similar duplication of any other interesting report is also urged.

U. S. Committee on fair employment practice
(1943-1946)

Field Instruction 1-E

October 25, 1944

#86

X- HD 4903

, 1154

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: "U" Case Docketing

Many regional directors after docketing a case against an employer fail to docket a case against the union involved although the evidence indicates that the union is "wholly or partly responsible for the employer's discrimination" (Field Instruction No. 1, Revised December 1, 1943).

Docketing of cases against unions is based on evidence of the union's responsibility for the employer's discrimination, whether such responsibility arises from the union's control over hiring (through contract or otherwise), or from its failure to resist discriminatory actions of its members. Thus, whenever the union's cooperation is necessary to the settlement of a case and is refused, formally or otherwise, the union should be deemed a party charged and a case against it docketed.

U.S. Committee on fair employment practice
(1943-1946)

A-HD 4903

2154

Field Instruction No. 11-C

October 27, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Monthly Report - Coding Personal Contact Cases

Because of the Budget Bureau's increased interest in our statistics on personal contacts with parties charged and/or complainants and in order to have this information available in compact and convenient form, beginning with the October monthly statistical report this information will be entered on all future FEP-4 forms which list the cases closed for the month.

For this purpose the following code symbols are to be used opposite the number of each case closed, to indicate any personal contact with either the complainant or the party charged:

"P" for personal contact with the party charged

"C" for personal contact with complainant

No symbol will be used where there has been no personal contact with either the complainant or the party charged.

Following are the four possible types of notations:

American Motor Corporation 6-BR-516 P	Personal contact with party charged only.
American Motor Corporation 6-BR-516 C	Personal contact with complainant only.
American Motor Corporation 6-BR-516 PC	Personal contact with both complainant and party charged.
American Motor Corporation 6-BR-516	No personal contact with either complainant or party charged.

Personal contact means a face to face visit or a telephone conversation by a WMC or FEPC representative, but does not include correspondence or conference through other intermediaries.

U.S. Committee on fair employment practice
(1943-1946)

#88

X-HD 4903

.254

Field Instruction No. 7-B

November 1, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Non-Discrimination Clause in Government Contracts

Attached hereto is a statement adopted by the Committee interpreting paragraph numbered "1" of the Executive Order which directs government agencies to include non-discrimination clauses in "all contracts hereafter negotiated or re-negotiated."

You realize of course that the Committee has jurisdiction over "war industries" even in the absence of a government contract (See Field Instruction 7-A).

Attachment

U. S. Committee on fair employment
"practice" (1943-1946)

FIELD INSTRUCTION NO. 30-B

November 2, 1944

X-HD 4903

254

#89

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

SUBJECT: Designation of Type of Union Contract on Docket Cards

Field Instructions No. 1 (Revised December 1, 1943) and 30-B require the listing on the docket card of certain code initials identifying "any labor organization involved or implicated in this complaint." We wish to have this information supplemented by a code designation describing the type of collective agreement to which the union is a party so that we may determine whether there is any correlation between the type of union security clause and a union's participation in discriminatory practices.

Effective immediately therefore, but only in all "U" cases, insert in the space on the docket card marked "Union" one of the following code letters:

- O - OPEN SHOP - Where the union is recognized as an exclusive bargaining representative but there is no contractual requirement that either old or new employees must join or remain members of the union.
- M - PROPORTIONAL MAINTENANCE OF MEMBERSHIP - Where the employer is required to maintain a definite ratio of union members to non-union members.
- P - PREFERENTIAL SHOP - Where all new employees must within a stated period become members of the union but where there is no such compulsion upon present employees to join the union. This is sometimes referred to as a union shop.
- CO - CLOSED SHOP - OPEN HIRING - Where all employees both present and new must become members of the union within a stated period but where the employer is free to hire new employees on the open market.
- CC - CLOSED SHOP - CLOSED HIRING - Where all employees, new and old, must be members of the union and where the employer is required to hire new employees from those supplied by the union.

Of course there are many other types of union security clauses containing one or more elements described above. In case of doubt, refer your question to us.

These designations are to be used only for "U" cases, i.e., those in which a labor organization is charged directly by the complainant with discrimination or responsibility for discrimination or where it appears that the labor organization is "wholly or partly responsible for an employer's discrimination."

Initiated by:

John A. Davis
Director of Review and Analysis

U. S. Committee on fair employment
practice (1943-1946)

#90

X- HD 4903

,U54

R. D. No. 129

November 7, 1944

TO: Division of Field Operations
FROM: Will Maslow
Director of Field Operations
RE: WMC Statement of Availability

Your attention is called to a recent decision by the Appeals Committee of WMC holding that a refusal to work with Negro employees is no ground for the issuance of a certificate of availability. The Appeals Committee pointed out that grant of the worker's request would in effect implicate his employer in a violation of Executive Order 9346 (See Labor Relations Reporter; Vol. 15, p. 263, November 6, 1944).

U. S. Committee on fair employment practice
(1943-1946)

#91

X-HD 4903

2154

R. D. No. 130

November 13, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Personnel

Because of our difficulty in obtaining accurate figures, we should like you to send us as soon as possible the following information for each member of your staff including the stenographers:

1. Full name
2. Home address
3. Date of entrance on duty
4. Salary at time of entrance
5. Date of each reclassification
6. Present salary.

U. S. Committee on fair employment
practice (1943-1946)

#92

X- HD 4903

. 2154

R. D. No. 131

November 13, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Divisional Budget Estimates, 1945-1946

The Division of Field Operations is now preparing its budget estimates for the next fiscal year. These are due in Mr. Jones' hands by December 1. I enclose our tentative plan for your region and solicit your comments. If there is any increase requested for your region please furnish us a detailed statistical justification as soon as possible and in any event no later than Monday, November 20. If you are dissatisfied with the tentative estimate, explain why, emphasizing statistical detail. Because we do not have the latest figures on the salaries of your stenographic force they have been omitted from this tentative estimate.

Attachment

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903

2154

Field Instruction No. 40

(See R. D. 117 and Essential
Committee Actions of July 1, 1944)

November 14, 1944

#93

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Report on Work Stoppages Involving Racial Factors

In order to keep us informed about work stoppages involving racial issues and to assist the Division of Review and Analysis in collecting such data, both for its own use and for the Conciliation Service of the Department of Labor, reports on such work stoppages will be submitted in the future on the attached form.

The form will be used both for Intermediate Reports and Final Reports, the two being distinguishable by typing in on the blank space before Report either "Intermediate" or "Final."

The report will be submitted in triplicate as soon as possible after a work stoppage begins, whenever any important developments occur before settlement, and immediately following the settlement.

Transmitted are a number of these forms; additional copies may be obtained on request.

Initiated by John A. Davis
Director of Review and Analysis

Attachment

*U.S. Committee on fair employment practice
(1943-1946)*

#94

X- HD 4903

.2154

Field Instruction No. ⁴¹~~40~~
(See Field Letter No. 14)

November 15, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Community War Services, WMC, FEPC Cooperation

We have agreed to cooperate with the War Manpower Commission and other Federal agencies in a coordinated program to recruit foreign non-white labor for communities which have up-to-now been slow in utilizing such labor. The program for the time being will be confined to Regions I, II, III, V, and VI and will be conducted in accordance with the attached memorandum from WMC, dated November 9, 1944.

As you know the President's Committee on March 27, 1944 voted unanimously to stop the processing of alienage cases and so informed the House Appropriations Committee (House Appropriations Hearings, P.598). That action does not, however, preclude our cooperation in a general program such as this, since in any event we will not process alienage cases. It must be pointed out in addition that the refusal to employ Jamaicans or other foreign non-whites is often due to their race or color rather than their national origin. Finally we are concerned with this program to ensure that local members of minority groups are utilized before foreign labor is imported.

Please call upon the special WMC forge and foundry representative in your region listed on the attached list and extend your fullest cooperation.

Keep us informed through your weekly reports of your activities in this program.

U. S. Committee on fair employment
practice (1943-1946)

#95

X- HD 4903

.2154

R. D. No. 132
(See F. I. No. 39)

November 16, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Intermittent Consultants

Because of an unanticipated shortage of funds and a restrictive interpretation of our ceiling on WAE personnel, we are compelled to suspend and postpone the employment of WAE intermittent consultants until after January 1. This does not, however, affect the use of WOC consultants nor the payment of travel moneys to such persons. You should nevertheless continue to forward the Civil Service 57's for all WAE consultants for approval, so that no unnecessary time will be lost when we are able to make use of their services.

*U. S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

.7154

Field Instruction No. 6-A

96

November 16, 1944

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Public Relation "Boners"

Although none of you fortunately has ever committed any of the following errors in your public relations work, the following "boners" are set forth to make sure you commit none like them:

1. A regional director in preparing for a public hearing sends out invitations to his mailing list and is later charged with attempting to pack the hearing.
2. A regional director issues a press release absolving an employer from charges of discrimination in so general and final terms that he finds it difficult thereafter to process a case against the same employer.
3. A regional director at a press conference before a hearing accuses the party charged of certain matters not even set forth in the complaint.
4. A regional director in his "unofficial capacity" complains about matters not within his jurisdiction and thereafter cannot understand why an investigating committee cannot distinguish between his official and unofficial position.
5. A regional director in adjusting a case signs an agreement conditioning his action upon the cooperation of other government agencies and wonders how to proceed later when the cooperation is not forthcoming.
6. A regional director charges an employer with a violation before he has ever heard the employer's case and then wonders why he is accused of bias.
7. A regional director in a bitter case involving a CIO-AFL fight, interviews his witnesses at the meeting hall of one union, or speaks at the convention of the other.
8. A regional director gives a news story to a friendly reporter exclusively and thereafter cannot seem to win the confidence of the other reporters.

U.S. Committee on fair employment practice
(1943-1946)

#97

X-HD 4903
.254

Field Instruction No. 19B

November 24, 1944

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: War Department

The letter set forth on the reverse hereof sent to the Chairman by the Under-Secretary of War supersedes that portion of Field Instruction No. 19 which forbids our field staff to communicate directly with the party charged (Paragraph A-1) in cases involving government-owned and government-operated plants. Henceforth, you are encouraged to deal directly with the commanding officer in such plants in an effort to adjust cases involving such plants at the regional level.

If you encounter any difficulties in such dealings, please report them, preferably through the weekly report.

U.S. Committee on fair employment practice (1943-1946)

X- HD 4903

2154

FIELD INSTRUCTION NO. 26-D

November 27, 1944

#98

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Civil Service Commission Circular No. 510

Attached is a copy of the above-numbered circular entitled "Retention of Preference Regulations for Use in Reductions in Force, Effective December 1, 1944."

Inasmuch as this circular establishes procedure to be followed when steps are taken to reduce the number of Federal Government employees, the importance of this attachment is readily apparent. You will be interested to note in the final paragraph of Section 8 that "No discrimination shall be exercised, threatened or promised in any reduction in force against or in favor of any employee because of race, or his political or religious opinions or affiliations."

Please discuss Circular No. 510 with the regional director (s) of CSC in your region so that the way may be prepared for full cooperation on those phases of the procedure that are of common concern to CSC and FEPC.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

#99

X- HD 4903
254

Field Instruction No. 29-B
(Amending F.I. 1, Paragraph B6)

November 30, 1944

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Docketing Cases Involving More
Than One Type of Discrimination

Frequently complaints are received in which persons allege discrimination of more than one type (e.g. upgrading, work conditions, and wage differentials). Such complaints are to be docketed as one case, if the other tests for consolidation are met (F.I. 29 & 29A). In the space on the docket card for Type of Discrimination place the word "over" and on the reverse of the card list the types of discrimination alleged. Attempt to list these types of discrimination in the order of their economic importance to the complainant.

Where there is contact with the complainant before the case is docketed, the examiner should make every effort to reduce multiple claims of discrimination alleged to those which have evidence to support them.

In the processing of such cases, attempt should be made to eliminate all of the types of discrimination alleged and found valid. If in the course of negotiations you find that all of the types of discrimination cannot be disposed of at the same time, close the portion which cannot be disposed of and re-docket as a separate case the remaining portions.

Contrary to Field Instruction 1, Paragraph B6, whenever warrants or application forms are included among the types of discrimination alleged by the complainant docket as one case under the present instruction.

*U. S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

254

FIELD INSTRUCTION NO. 6-B

December 1, 1944

100

TO: Division of Field Operations
FROM: Will Maslow
Director
RE: Press Releases or Speeches - Clearance

At its meeting of October 11, 1944 the President's Committee forbade the issuance of any press release regarding "hearings" or "policy" until after clearance by the Chairman or a designated representative.

As far as hearings are concerned, no release of any description may be issued, no matter how innocuous, until after such clearance. All material of this nature is to be addressed to the Director of Field Operations for such clearance.

Although the Committee did not clarify the term "policy," we interpret the expression so as to exclude

1. The regular monthly releases of a regional office which contain statistical data about the number of cases docketed, etc.
2. A release regarding the satisfactory adjustment of a case, providing it conforms to the requirements of Field Instruction No. 10 (Revised), issued March 18, 1944, which includes advance clearance by the Director of Field Operations.
3. A release giving an over-all summary of a region's work, so long as it does not embard into controversial fields or matters within the province of the Committee. Such releases must likewise be cleared with the Director of Field Operations in accordance with Field Instruction No. 6.

We interpret the rule about releases on hearings or policy to include press conferences, formal or informal, and public addresses. Any conference or speech on such topics must likewise be cleared.

Effective immediately each regional office will keep a file of all releases and speeches, number each consecutively and listing the date issued, the person issuing, and the names of the publications or organization to which issued. A record of the clearance, if any, will be attached to such release or speech.

Remember in case of doubt clear everything. The Committee will hold each regional director responsible for material not cleared.

U. S. Committee on fair employment practice
(1943-1946)

101

X-HD 4903
.2454

Field Instruction No. 18-A
(Superseding F.I.18, Para-
graphs A & B)

December 9, 1944

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Department of the Navy Operating Agreement

Following conferences between representatives of FEPC and the Navy Department, the procedures to be used in processing complaints of discrimination against the Department of the Navy have been revised. The attached circular, issued by the Navy Department with our approval, sets forth the new procedures, the operating steps being described in paragraph 5 (1, 2, and 3).

The "stages of the grievance procedure" referred to in paragraph 5 (2) are fully described in the second attachment entitled "Grievance Procedure for Civilian Employees."

It is extremely important that Regional Directors and Examiners-in-Charge accept the invitation, paragraph 5 (3), to confer with officials of regional Naval establishments to discuss "policies, procedures, and practices of general interest concerning instances of discrimination" and offer their fullest cooperation to such establishments.

Attachments

U.S. Committee on fair employment practice
(1943-1946)

R. D. No. 133

December 20, 1944

#102

X- HD 4903

U54

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: USES 510 Reports

The present USES 510 Report has been found to be deficient in several respects. An attempt will be made at this level to obtain from WMC a revision of this form so that it will present all the information we have found from experience to be essential.

Pending this revision and effective immediately, whenever such reports contain sufficient evidence of discriminatory hiring practices by a party charged within our jurisdiction to justify contact with the party charged

1. Obtain from the USES employee who actually received the order (see entry "order received by") the name and title of the employer's representative placing the order and as nearly as possible the exact words used by him indicating a discriminatory practice.
2. Ascertain the name and title of the USES employee who interviewed the employer to obtain relaxation and verify the allegations contained in the 510, using exact quotations whenever possible.
3. Place in the file a memorandum setting forth in full your conversations with such USES personnel.

These precautions will enable us to present as strong evidence as possible in support of our charges, and to avoid at any of our hearings, disputes as to the truth or accuracy of 510 reports. A copy of the current 510 form is attached.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

#103

X-HD 4903

.7154

Field Instruction No. 2D

December 26, 1944

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Requests to DFO for Advice, Information, or
Aid on Specific Cases

Whenever specific advice, information, or help on a particular case is requested, (not referred as un-adjustable) submit a separate memorandum in duplicate for each such case. Such request will be listed by party charged, case number, and nature of request in Paragraph VI of the new weekly report form (See Field Instruction 11, Second Revision).

Such requests should contain all the information necessary for our handling here.

Field Instruction 11 (Second Revision)

U.S. Committee on fair employment practices
" (1943-1946) "

December 27, 1944

#104

TO: Division of Field Operations X-HD 4903
FROM: Will Maslow, Director 2154
RE: Revision of Weekly Report Form

Effective immediately, discontinue the use of the weekly report form set forth in Field Instruction 11 (Revised) and use the form set forth below. The weekly report shall be submitted in triplicate each Monday and air mailed from all regions except I, II, III, and IV.

WEEKLY REPORT

For The

Week Ending Saturday _____ 1945

TO: Will Maslow, Director of Field Operations
FROM: _____, Regional Director, Region _____

- I Important case activity *
- II Other outstanding events
- III Public relations
- IV Questions for DFO
 - A. General policies
 - B. Personnel & fiscal
 - C. Miscellaneous
- V Unadjustable cases referred to DFO during past week
- VI Cases not referred as unadjustable but on which advice, information, or specific aid is requested of DFO
- VII Docket card and FDR corrections

*At least one full page on case activity. When nothing outstanding, report routine case activity. Concentrate on pending cases including closings for the week unless there are significant compliance check-ups.

This instruction supersedes Field Instruction No. 11 (Revised) April 1, 1944, paragraph D of Field Instruction 11A, that portion of Field Instruction 23 which requires weekly listing of USES 510 and WMC 42 reports, R. D. 60, and R. D. 31, but does not affect Field Instruction 28, Field Instruction 32, R. D. 38, or R. D. 28.

*U.S. Committee on fair employment practice
(1943-1946)*

Field Instruction No. 42

#105

X- HD 4903

.264

January 2, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Internal Organization of Central Staff of Division

Effective immediately, the initial responsibility for supervision of case handling in the field will be in the hands of Messrs. Mitchell and Davidson. Mr. Mitchell will supervise case handling in Regions VI, VII, VIII, IX, X, XI, and XII, while Mr. Davidson will supervise Regions I, II, III, IV, and V. Cases referred for further action, final disposition reports, compliance reports, and individual case memoranda will be addressed directly either to the Associate Director or the Assistant Director, in accordance with the above allocation of regions.

All inquiries about docketing shall be addressed to the Assistant Director.

Two copies of all other communications from a region will hereafter be submitted to the Director.

Weekly and monthly reports and work stoppage reports will continue to be submitted in triplicate addressed to the Director.

Replies in duplicate shall be addressed to the Director, the Associate Director, or the Assistant Director depending upon who signed the original communication.

In the absence of the Director, the Associate Director is in charge, and in the absence of both the Assistant Director is in charge.

*U. S. Committee on fair employment practice
(1943-1946)*

#106

X- HD 4903
U 54

R. D. No. 134

January 3, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Filipinos

A question has arisen whether the Committee meant to include Filipinos when it decided on March 27, 1944 to suspend action in all alienage cases (R. D. 94). Filipinos are neither citizens nor aliens but in an intermediate category: nationals of the United States, i.e., those who owe permanent allegiance to the United States. The Congress has exempted Filipinos from the limitations in appropriation acts forbidding the employment of aliens by Federal agencies (Public Law 474 - Section 403, March 5, 1942). The War Department has exempted Filipinos from the operation of those laws which restrict the employment of aliens in war industries (Memorandum from Legal Division, Provost Marshall General's Office, October 1, 1942). Finally, the Civil Service Commission admits Filipinos to examinations barred to aliens (See Departmental Circular No. 330, attached).

Discrimination against Filipinos is generally based upon their race, not their lack of citizenship. All Filipino cases shall, in any event, be docketed as race, not alienage cases.

Attachment

U. S. Committee on fair employment
practice (1943-1945)

X-HD 4903

K. D. 135

January 11, 1945

254

#107

TO: Division of Field Operations

FROM: Will Maslow
Director

RE: Public Relations Project -- Satisfactory Adjustment Cases

We anticipate a further increase in the demand on FEPC central and regional offices for accounts of successful case settlements. Since FLK's often do not contain enough background or human interest material, we are asking you to supplement some of them with additional details as outlined in the checklist guide provided in Attachment I. Do not include information already transmitted in FLK's or Compliance Reports. If no Compliance Report has been made for a case on which we need data, you should give it priority in your compliance checkup program.

The specific list of cases provided in Attachment II has been compiled by this office as representative of (1) your best satisfactory adjustments since your office opened, and (2) FEPC's case load by reason and type of discrimination. You may substitute different cases if you believe you have better examples, provided you maintain the same approximate distribution by reason and type of discrimination.

After combining this material you provide with FDR information, the central office will edit and mimeograph each story and supply regions with a loose-leaf file to be maintained as a continuing public relations project. Please forward the supplementary data on each case as soon as it is compiled. If you find it easier to write the stories yourself than to supplement the FDR's and compliance checks, we shall be pleased to have you do so. While we do not require a write-up from you on every case listed in Attachment II, we must have this project well under way by February 7, 1945.

Attachments

U. S. Committee on fair employment practice
" (1943-1946)

108

X-HD 4903

. 2154

Field Instruction No. 38B

January 18, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Changes in FEPC-UAW-CIO Agreement

Effective immediately all complaints of discrimination described in Paragraph 1 of the UAW-CIO agreement will be referred to George W. Crockett, Jr., Executive Director, UAW-CIO Fair Practices Committee, 618 Maccabees Building, Detroit 2, Michigan instead of to Victor G. Reuther, Assistant Director, War Policy Division, UAW-CIO.

In addition, substitute "UAW-CIO Fair Practices Committee" for "War Policy Division" wherever the latter title appears in the agreement.

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903

.2454

#109

Field Instruction No. 32A
(See also F.I. No. 34)

February 2, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: WMC Management-Labor Committees

Transmitted herewith is a copy of a WMC Field Instruction describing the function of the Management-Labor Committees in solving manpower problems. Note the statement on page 4 that Area Management-Labor Committees "should be used to secure the acceptance on the part of employers and workers for the use of minority groups...."

Whenever you encounter resistance in any important case, you should request the Area Director to enlist the support of the Area Management-Labor Committees.

Attachment

U. S. Committee on fair employment practice
(1943-1946)

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X- HD 4903

2454

R. D. No. 136

February 5, 1945

TO: Division of Field Operations

FROM: Will Maslow, Director

RE: References to Cases by Parties Charged
And Case Numbers

Several regional directors are neglecting in weekly reports and case memoranda, to refer to cases by parties charged and case numbers. This neglect makes it difficult, if not impossible, to identify and locate final disposition reports, progress reports, etc., needed in following through on such references. Field Instruction 1, Paragraph VI A requires that cases always be referred to by parties charged and case numbers.

Please give this matter your attention.

*U.S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

1154

Field Instruction No. 7C

February 8, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Jurisdiction of FEPC

Attached hereto is Headquarters Memorandum, Program Series, #2, entitled Opinions on Jurisdictional Questions. This Memorandum should be used as a guide in determining the extent of our jurisdiction and will thus eliminate unnecessary referrals to the DFO.

You will note that in this Memorandum the word jurisdiction has been used in its broadest sense to indicate the Committee's authority over subject matter as well as party charged. Nevertheless the Field Instructions on disposition of cases are not affected by this Memorandum. Thus

- (a) Where jurisdiction over a party charged is lacking, the case will be closed for No Jurisdiction (F.I. 11, Page 2, and F.I. 16, Revised, Paragraph X)
- (b) Where there is jurisdiction over a party charged but the facts reveal that the discrimination did not relate to employment, training or placement or that it occurred for a reason, other than race, creed, color, or national origin, the case will be dismissed for Insufficient Evidence or Dismissed on Merits, depending upon whether contact with the party charged has been made (F.I. 16D).

In the attached Memorandum the words placement or training should be deemed to follow the word employment wherever the latter occurs.

Attachment

*U. S. Committee on fair employment practice
" (1943-1946)*

R. D. No. 137

February 8, 1945

X-HD 4903

7/54

112

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Negotiation Techniques

We are planning to issue shortly a field instruction on the techniques to be used in negotiating cases with parties charged. For that purpose, we should like to pool the experience of the field. At your earliest convenience, will you address yourself to the following questions:

- 1.(a) Are better results obtained when the negotiating conference is held at your office or at that of the party charged?
- (b) Is it of value to have the parties aggrieved present at such conference?
- (c) Is it of value to have representatives of other Government agencies present, e.g., Army, WMC, Maritime, Civil Service?
- (d) Is it of value to announce that the conference is entirely "off the record?"
2. What are the stock objections you have encountered to the use or upgrading of Negro men? Negro women? Jews? Latin-Americans? Japanese? Members of minor religious sects?
- 3.(a) Are employers in one region impressed by references to experience in another region?
- (b) Are they impressed by the experience of their neighbors?
4. Would it be of value to have a "kit" for each examiner, consisting of WMC data or utilization, letters of commendation, reprints of speeches, etc.?
- 5.(a) Is the threat of a FEPC hearing of value during negotiations or does it act as a boomarang?
- (b) Is the threat of resort to WMC sanction of value?
6. What can be done to block "stalling" techniques?

The above list is not intended as a complete one but merely to stimulate your thinking.

Consider this subject at a staff conference to be held as soon as possible and report at length and in specific detail your recommendations.

U.S. Committee on fair employment practice
" (1943-1946) #113

X- HD 4903

254

Field Instruction No. 380

February 13, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: UAW-CIO Complaint Information Form

Attached hereto is a copy of the form to be used in transmitting information on complaints of discrimination to the UAW-CIO - Fair Practices Committee in accordance with the UAW-FEPC agreement.

No action should be sought from the International Union until the local union has been given an opportunity to adjust the complaint, although the International should be notified at the time of the regional contact with the local.

These forms should be prepared in quadruplicate, the original to be sent to the local UAW-CIO Fair Practices Committee, a copy to George M. Crockett, Jr., Executive Director, UAW-CIO Fair Practices Committee, 618 Maccabees Building, Detroit 2, Michigan, a copy to this office, and a copy to be retained by your office.

A supply of these forms is transmitted herewith and additional copies may be obtained on request.

Attachments

February 13, 1945

X- HD 4903

USA

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Standards of Investigation

At a recent meeting of the Committee, the Deputy Chairman advised the Committee that he would confer with representatives of the Legal Division and the Division of Field Operations and develop standards of investigation with a view to minimizing the amount of investigatory work to be done after a case has been referred for further action to the Director of Field Operations.

The following list of suggestions on methods of investigation and proof has been prepared jointly by the Legal Division and the Division of Field Operations after an analysis of case files referred for further action. This list does not propose to be a complete manual but will serve as a guide and afford a basis for further suggestions from the field.

1. Jurisdiction

If the employer charged is a Government contractor, the case file should show the contract number, the date the contract was let, and the name of the contracting agency. In addition, the file should contain evidence sufficient to establish jurisdiction, e.g., the nature of the business, its size, the extent of the contracts, etc.

2. Parties Charged

Determine in all cases whether the employer and union are both parties to the discrimination charged against one or the other. If there is doubt whether either should be joined as a party charged, all data necessary to a determination should be included in the case file. A number of cases have been referred for hearing against an employer only, where subsequent investigation has shown that the union too should have been charged.

3. Employer or Union Responsibility

An employer or union is responsible for the acts of its agents, but only responsible officials of the employer or union should be interviewed on policy matters. Every interview recorded in the case file should show the name, official position, and duties of the representatives interviewed. Likewise, the file must establish that the discrimination charged is attributable to the employer or the union.

4. Employment Figures

The file should contain information about the number of persons employed, the number of minority group workers employed, and in what jobs or departments.

U.S. Committee on fair employment practice
(1943-1946)

#115

X-HD 4903
1154

Field Instruction No. 44

February 13, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Complaint Form FEP 1 (Revised)

Attached hereto is a revised complaint form approved by the Bureau of the Budget. Since we are prohibited from using any forms for public distribution not so approved, you will use this form exclusively, and discontinue using any regional variation.

A quantity of these forms has been transmitted to all offices and additional copies may be obtained on request.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

X-HD 4903

, 154

#116

Field Instruction No. 11D

February 21, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Monthly Report on Cases Handled

Beginning with the monthly report for March and thereafter such report will include an additional statistical item, viz.,

VI - Number of Other Cases Handled _____

This figure will be the number of cases, exclusive of those docketed and those closed, on which any work, including case analysis, was done during the month.

Beginning March 1, 1945 therefore, each office should keep an account of cases handled for the purpose of this item.

This information will serve to correct false impressions which may be created by low monthly figures for case docketing or case closing, although considerable other case activity was carried on during the month.

U. S. Committee on fair employment
practice (1943-1946)

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1154

R. D. No. 138

117

February 22, 1945

TO: The Field Staff

FROM: Will Maslow, Director of Field Operations
Theodore A. Jones, Director of Budget and
Administrative Management

RE: Time Study

1. Purpose

From time to time we receive inquiries from Budget Bureau and Congressional appropriation committees about the amount of time spent on various functions or activities. Similarly, the central office often wishes to learn how much time is consumed in the various reports it requires in weighing the advisability of modifying its reporting system. Accordingly, we propose for one month only to attempt to obtain accurate data on the allocation of time spent in various regional functions.

This experiment is not devised to check up on the efficiency of any individual or that of any particular office.

We realize that this study will increase, if only temporarily, the amount of paper work in an office. Because it promises so much, however, in overall planning both for you and for us, we solicit your complete cooperation.

2. Period of Study

The time spent will be classified and recorded from March 1, 1945 through March 31, 1945.

3. Applicability

During the period studied, a weekly time study form, copies of which are attached, will be filled out each day by every person in the field, including regional directors, examiners-in-charge, field examiners, stenographers, and clerks.

4. Entries on Forms

These forms shall be made out at the end of the day, entering the time spent for each activity in multiples of thirty minutes in the appropriate column. It is suggested, however, that by means of your calendar pad or diary sheets, you keep during the day notes on how you spend your time. In dividing the time among the various functions, the smallest unit of time to be used shall be thirty minutes. All time

*U. S. Committee on fair employment
practices (1943-1946)*

#118

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U54

R. D. No. 139

March 6, 1945

TO: All Regional Directors and Examiners-in-Charge
FROM: Will Maslow, Director of Field Operations
RE: Regional Directors' Conference

Attached is the Agendum for our regional directors' conference which will begin on April 5 at 10 a.m. and run through April 7, 1945. The program includes the suggestions for the meeting sent in by you.

Please come prepared to talk for not more than ten minutes on the subject under which your name appears. You will be expected to show its application or operation in your region and to present appropriate recommendations. A general discussion by all regional directors and examiners-in-charge will follow your remarks.

It is suggested that remarks in the general discussion be brief and to the point. Ample time will be given, however, for the expression of all points of view.

Examiners-in-charge of the sub-regional offices in Los Angeles, St. Louis, Cincinnati, Detroit, and Pittsburgh will be expected to attend this conference.

Regional directors and examiners-in-charge who desire hotel accommodations should so inform this office as soon as possible.

Attachment

U. S. Committee on fair employment
practice (1943-1946)

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X- HD 4903

2154

R. D. No. 140

MARCH 8, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Pamphlet, FEPC, How It Operates

The Committee has recently acquired its last supply of 5,000 copies of FEPC, How It Operates. The pamphlet will not be reprinted without considerable revision. Will you please estimate your needs for the next six months - conservatively - and send in your request to Mr. Davis.

Initiated by John A. Davis
Director of Review and Analysis

U. S. Committee on fair employment practice
(1943-1946)

#120

X-HD 4903

2154

Field Instruction No. 18B

March 8, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Navy Civilian Personnel Instructions

Transmitted herewith is a copy of Navy Civilian Personnel Instructions issued January 11, 1945 and based on the Navy-FEPC agreement sent you under Field Instruction 18A.

These instructions differ but slightly and then only in style from the circular letter. They are signed, however, by Admiral Crisp for the Under-Secretary of the Navy instead of by Captain Sprung as Acting Director of the Shore Establishment Civilian Personnel. They supersede the circular letter.

These procedures cover complaints of discrimination in the departmental Navy service as well as in shore establishments, since for administrative purposes departmental units are considered shore establishments.

attachment

1
U.S. Committee on fair employment practice
" (1943-1946)

4 121

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.2154

Field Instruction No. 26E

March 13, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Civil Service Manual

Transmitted herewith are copies of three sections of the United States Civil Service manual entitled Discrimination, Fair Employment Practice, and Removal. These are the Civil Service instructions to its field referred to in our Field Instruction 26C.

This part of the United States Civil Service manual is confidential, to be used only in conferences with Civil Service officials. It must not be exhibited to representatives of any other agency.

attachment

U. S. Committee on fair employment practice
(1943-1946)

#122

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2154

Field Instruction No. 45

March 13, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Field Examiner Kit

It is suggested that field examiners make systematic use of appropriate documentary "exhibits" in negotiating with parties charged. Such material descriptive of the successful application of fair employment practices will often prove persuasive in such negotiations. The material to be exhibited will vary, depending upon the type of business and other factors, but should be organized into a "kit" which the examiner might carry with him.

Following is a partial list of publications, FEPC data, reprints and other material that should be included in such a kit:

"FEPC, How It Operates"	RD 99A, B, C
WMC Report on Placement of Negroes in Skilled Occupations	FL 12
"White and Black Can Work Together" (Reprint from Readers Digest, March 1944)	RD 105
"The Negro in America" (Public Affairs Committee Pamphlet)	FL 38
"Negroes in Chicago" (Pictorial Primer; Mayor's Committee)	FL 39
"Nisei in Uniform" (WRA)	FL 41
References to Race, Creed, Color, Alienage in Constitutions of Labor Organizations	RD 113
"Utilization of Reserve Workers" (WMC)	FL 53
"Wartime Employment of Negroes in the Federal Government"	FL 48

The agreements which FEPC has with other agencies of the federal government and with the UAW-CIO are not for general circulation, and use of any one of them should be restricted to conferences with representatives of the agency involved. Direct reference, however, to the applicable agreement is frequently helpful to the efficient handling of a complaint. Following is a list of the present agreements:

FEPC agreements with

Civil Service	FI 26, 26A, 26B, 26C, 26D, 26E
Maritime Commission	FI 12
Navy	FI 18, 18A, 18B

U.S. Committee on fair employment practice (1944)

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.U54

#12

Field Letter No. 53

March 13, 1945

TO: Division of Field Operations
FROM: Will Maslow; Director
RE: "Utilization of Reserve Workers" (WMC)

Attached hereto is a copy of the above-named publication released by War Manpower Commission's Bureau of Manpower Utilization March 1944. The information contained in the bulletin will prove useful in negotiating with parties charged. This object lesson in the successful utilization of Negro skilled workers should be added to your kit. (Field Instruction 45)

attachment

U.S. Committee on fair employment practice (1943-1944)

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Field Letter 54

March 15, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Subject Index of Field Instructions, Field Letters,
and Regional Directors' Memoranda

Transmitted herewith is a subject index of Field Instructions, Field Letters, and Regional Directors' memoranda as of March 15, 1945.

This index excludes obsolete material.

Attachment

U.S. Committee on fair employment practice (1943-1946)

X-HD 4903

.254

125

Field Letter No. 55

March 17, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: New York and Indiana Anti-Discrimination Laws

Transmitted herewith is a copy of the Ives-Quinn bill, which passed the New York Assembly by 102 to 39 and the New York Senate by 49 to 6. The bill was approved by Governor Dewey on March 12, 1945, becoming Chapter 118 of the Laws of 1945. The discriminatory employment practices are described in Section 131 of the law. Note particularly in subdivision "3" the condemnation of discriminatory advertisements and application forms. Note also in subdivision "5" that aiding or inciting a violation of the Act is in itself forbidden. Other interesting features are the application of the Act to employment agencies (Sec. 131, subdivision 3) and the provision for advisory agencies and educational work (Sec. 130, subdivision 8). The New York law becomes effective July 1, 1945.

Indiana has also enacted a law (Chapter 325 of the Laws of 1945) which is modeled largely upon the Taft bill, S. 459, now pending in the United States Senate.

The Indiana law confers upon the Indiana Commissioner of Labor the following powers:

1. To make comprehensive studies of discrimination in the different sections of the State and the best methods of eliminating such discrimination.
2. To formulate comprehensive plans for the elimination of discrimination as rapidly as possible.
3. To publish reports and other information about the methods of eliminating discrimination.
4. To cooperate with employers, labor unions and others in executing programs to eliminate discrimination.
5. To investigate complaints and other cases where discrimination is believed to exist.

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U.S. Committee on fair employment practice (1943-1946)

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Field Letter No. 56

March 17, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "The Labor Market", March 1945, WMC

The enclosed publication contains several items which may be of interest and value to you.

Note particularly the spot map showing adequacy of labor supply in important labor market areas, and the tables on pages 39, 40, and 41 containing information on non-white placements.

The January 1945 WMC instructions (described in an article on page 3) applicable to any area where there are job orders in priority categories I or III will be significant in some areas.

Attachment
Office Copy Only

U.S. Committee on fair employment practice
(1943-1946)

FIELD LETTER No. 57

MARCH 26, 1945

X-HD 4903

7154

#127

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Workers Imported from Foreign Countries

The attached tables give useful information from the War Manpower Commission and the War Food Administration on the present employment of workers who have been imported from foreign countries to meet critical labor shortages. The importation of agricultural labor is supervised by the War Food Administration, of railroad labor by the Railroad Retirement Board, and of all other workers by the War Manpower Commission.

Table I indicates that there are now a total of 100,000 imported workers in the country and this number is expected to increase to 195,000 by July. This increase is accounted for by the seasonal importation of agricultural workers and by the fact that the War Manpower Commission has received authorization from the Mexican Government to increase the quota of Mexican workers from 50,000 to 75,000 for railroad maintenance and is now negotiating an agreement to bring in an additional 25,000 for heavy industry.

No information on the allocation of Mexican railroad workers to states or regions is available. The Railroad Retirement Board does have a record, however, of the number assigned to each railroad.

The other tables show the industrial workers by War Manpower Commission regions and industries and the agricultural workers by states. Information as to the specific concerns now employing imported workers can be obtained from the regional offices of the War Manpower Commission.

attachments

Initiated by John A. Davis
Director of Review and Analysis

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903

254

R. D. No. 141

#128

March 27, 1945

TO: All Regional Directors

FROM: Will Maslow
Director of Field Operations

RE: Efficiency Ratings

Under Civil Service rules all employees having ninety days or more of service on March 31 must be given an Efficiency Rating. The purpose of this memorandum is to make Efficiency Ratings uniform throughout the Division of Field Operations, to set the date for submission of Efficiency Ratings to the central office, and to transmit for your guidance the Official Rating Manual and Rating Official's Guide. This system of marking for Efficiency Ratings has been correlated with those of other divisions of the agency and stenographers throughout the agency will be marked on exactly the same items.

You will observe the following instructions:

- (1) Efficiency Ratings for all employees in your region must be received by the Director of Field Operations by April 15, 1945.
- (2) An Examiner-in-Charge will rate all subordinate employees in his sub-regional office, but these ratings will be reviewed in turn by his Regional Director.
- (3) Because a number of items on the standard CS Form 51 overlap and are merely elements of desired prime attributes, we are only requiring that certain of these items be marked. Thus, we require a mark on Skill in the Application of Techniques and Procedures (3), and not on Attention to Pertinent Details (6), nor on Accuracy of Operations (7), nor on Ability to Organize Work (14), although we expect these attributes to be considered in marking (3).
- (4) We are interested primarily in an examiner's ability
 - a. to investigate complaints,
 - b. to negotiate adjustments,
 - c. to prepare reports on these two activities.

(over)

*U. S. Committee on fair employment
" practice (1943-1946)*

129

X-HD 4903
.2154

R. D. No. 142

April 2, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Cooperation of Contracting Agencies

On the reverse hereof is a copy of a letter sent to a recalcitrant employer by procurement officers of the Army, Navy, and War Shipping Administration. Note the phrase in which the procurement officers describe themselves as "in effect enforcement arms of the FEPC."

This letter may be useful in your contacts with the procurement agencies and exhibited as a model of the cooperation we hope to receive.

*U. S. Committee on fair employment practices
(1943-1946)*

#130

X- HD 4903
. 254

Field Letter No. 58

April 4, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Federal FEPC Bills

Attached hereto is a memorandum making a detailed comparison between the Norton bill (H. R. 2232) reported favorably by the House Committee on Labor and the Chavez bill (S. 101) upon which the Senate Committee on Education and Labor has just completed hearings.

attachment

U.S. Committee on fair employment practice (1943-1946)

131

X-HD 4903

254

Field Instruction No. 47

April 14, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Segregation

Because of a misunderstanding which arose recently in a regional office about the question of segregation, your attention is again called to the Committee's position on the subject. The following statement was given to the Senate Committee on Appropriations on June 5, 1944 (Hearing on H. R. 4879, page 158, 78th Congress, Second Session):

"The Committee has never taken the position that segregation per se is contrary to the provisions of Executive Orders 8802 and 9346. It recognizes, as it must, that its jurisdiction is limited to obtaining the elimination of discrimination in regard to hire, tenure, terms or conditions of employment, or union membership, and, in this case, where the issue of segregation is involved, as in all cases, the Committee's action will depend upon the existence or absence of evidence of prohibited discrimination."

U.S. Committee on Fair Employment Practices
(1943-1946)

X-HD 4903

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Field Letter No. 59

April 14, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Chairman Ross on Racial Tension

Transmitted herewith is a copy of a statement made by Chairman Ross on September 10, 1944 before the Fifth Conference on Science, Philosophy and Religion. This is good source material for your own speeches or writings.

attachment
Office Copy Only (2)

U.S. Committee on fair employment practices (1943-1946)

X-HD 4903
.254

133

Field Letter No. 60

April 14, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Model RFA

Transmitted herewith is a good example
of a Request for Further Action from Region V.

attachment

*U.S. Committee on fair employment practice
(1943-1946)*

#121
12

X-HD 4903

.2154

Field Letter No. 61

April 14, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: State FEPC Bills

You may be interested in an article of mine in the April 14, 1945 issue of The Nation entitled "Fair Employment State by State," in which some facts about State FEPC bills are set forth. Since the article was written, the New Jersey legislature has passed the Hill bill, which will be analyzed as soon as we receive the official text.

U.S. Committee on fair employment practice (1943-1946)

X-HD 4903

,1954

#135

Field Instruction No. 48
(See R. D. 115)

April 16, 1945

TO: All Regional Directors
FROM: Will Maslow
Director of Field Operations
RE: Absence from Office

It is extremely important for us to know at all times where a Regional Director may be reached. Interracial strikes, questions in Congress about your operations, and other unpredictable emergency matters require unbroken lines of communication between us.

Will you, therefore, observe the following two rules:

1. Notify us in advance whenever you plan to take annual leave, or otherwise be absent from your office, for more than one day.
2. Keep your secretary constantly informed how you can be reached.

U.S. Committee on fair employment practice
(1943-1946)

#136

X- HD 4903

.2154

Field Letter No. 62

April 16, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "Jews in America"

Transmitted herewith is a reprint of the famous article entitled "Jews in America" written by the editors of "Future" and first published in February 1936.

Because the article is so comprehensive, so authoritative, and so well written, it should furnish good source material for speeches.

attachment
Office copy only

U.S. Committee on fair employment practices
(1943-1946)

X- HD 4903

.454

Field Instruction No. 49

#137

April 23, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Biweekly Report

Effective immediately each regional office and sub-regional office will discontinue the submission of the regular weekly report and will submit biweekly reports. The next such report will cover the two weeks ending April 28, 1945. This report will be mailed on alternate Mondays in triplicate, addressed to the Director of Field Operations. They will be sent by air mail except from Regions I, II, III and IV.

The Biweekly report shall be arranged under the following headings, each of which is discussed below:

- I Important Case Activity
- II Other Outstanding Events
- III Public Relations
- IV Unadjustable Cases Referred to DFO
- V Other Cases on which Advice, Information
or Specific Aid is Requested
- VI Miscellaneous

I Important Case Activity

Describe under this heading activity which is significant (a) because it involves a large plant, or (b) a large number of employees, or (c) a critical war industry, or (d) a major change of policy by a party charged, or (e) an enterprise of importance in the community. Significant compliance checks or routine activity noteworthy because of its volume should be described here.

Describe also under this heading new techniques of investigation or negotiation and significant help received from cooperating agencies.

Each case reported should be listed in a separate paragraph, prefixed with the name of the party charged, the city in which it is located, and the case number.

Not more than two pages should be devoted to this heading. If there is not enough material for two pages, do not pad. Do not report every case worked on. Routine activity should be summarized. Do not include questions to DFO under this heading.

(over)

U.S. Committee on fair employment practice (1943-1946)

April 24, 1945

138

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: References to Race or Religion on
Employment Application Forms

X- HD 4903

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The Legal Division on March 24, 1945 issued the following opinion on the above subject:

"Under its power to formulate policies to achieve the purposes of the Executive Order, the Committee has consistently requested the elimination of racial and religious questions from application for employment forms, whenever the existence of such questions has been brought to its attention. However, the practice of an employer of requiring applicants for employment to state their race or religion, or both, on application forms, or otherwise, does not, of itself, violate the provisions of the Executive Order. It is merely one of the factors which may be considered by the Committee in arriving at a determination that the employer is discriminating against applicants for employment because of race, creed, color, or national origin. The Committee has directed the removal of such inquiries from application for employment forms only where it has found, after hearing, that the employer has engaged in discriminatory employment practices forbidden by the Executive Order."

In view of the foregoing, the following procedures will be observed:

A. War Industries

1. If an application for employment form contains a question about race or religion and the employer is subject to our jurisdiction, docket the case. (The case is docketed because at this stage it cannot be determined whether the references are or have been designed or utilized for purposes of screening out or otherwise discriminating against applicants.)
2. Investigate to determine whether the party charged is discriminating against its employees or applicants for employment because of race, creed, color, or national origin.
3. If discriminatory practices (without regard to the application form) are found to exist, take steps to obtain the elimination of such discrimination, including the deletion of references to race or religion on the form.

(over)

U.S. Committee on fair employment practice (1943-1946)

April 24, 1945

#139

TO: Division of Field Operations

FROM: Will Maslow, Director

RE: References to Race or Religion on
Employment Application Forms

X-HD 4903

264

The Legal Division on March 24, 1945 issued the following opinion on the above subject:

"Under its power to formulate policies to achieve the purposes of the Executive Order, the Committee has consistently requested the elimination of racial and religious questions from application for employment forms, whenever the existence of such questions has been brought to its attention. However, the practice of an employer of requiring applicants for employment to state their race or religion, or both, on application forms, or otherwise, does not, of itself, violate the provisions of the Executive Order. It is merely one of the factors which may be considered by the Committee in arriving at a determination that the employer is discriminating against applicants for employment because of race, creed, color, or national origin. The Committee has directed the removal of such inquiries from application for employment forms only where it has found, after hearing, that the employer has engaged in discriminatory employment practices forbidden by the Executive Order."

In view of the foregoing, the following procedures will be observed:

A. War Industries

1. If an application for employment form contains a question about race or religion and the employer is subject to our jurisdiction, docket the case. (The case is docketed because at this stage it cannot be determined whether the references are or have been designed or utilized for purposes of screening out or otherwise discriminating against applicants.)
2. Investigate to determine whether the party charged is discriminating against its employees or applicants for employment because of race, creed, color, or national origin.
3. If discriminatory practices (without regard to the application form) are found to exist, take steps to obtain the elimination of such discrimination, including the deletion of references to race or religion on the form.

(over)

*U.S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

u64

Field Instruction No. 1F

110

April 26, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Case Docketing - Source of Complaint

1. Under the heading Source on the docket card, enter the name of the individual, union, Government agency, or private organization, complaining of alleged discrimination either on his or its own behalf or on behalf of a party aggrieved.
2. An individual, Government agency, union, or private organization shall not be considered as the source where he or it merely directs to FEPC a complainant, or merely transmits to FEPC a letter of complaint without requesting a report or indicating in some other way backing of the complaint. For statistical reasons, an exception is made of such transmittals of complaints by the White House, the Civil Service Commission, or a member of Congress, and such transmittals shall be indicated under Source by White House, CSC, Rep. (Representative), or Sen. (Senator).
3. Where the complainant is the party aggrieved and complains directly to the regional or sub-regional office, the source and manner or submission of the complaint shall be indicated by entering under Source one of the following:

Compl. - visit

Compl. - letter

Compl. - field.

The last entry denotes that the complaint was not filed in the office but received by an examiner on a field trip.

4. Where an individual files a complaint on behalf of a party aggrieved, the relationship of the complainant to the party aggrieved shall be indicated by an appropriate abbreviation or designation, e.g., atty. (attorney), friend, etc.

(over)

*U.S. Committee on fair employment practice
(1943-1946)*

Field Letter No. 63

X-HD 4903

April 30, 1945

#141

154

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: New Jersey "Law Against Discrimination"

New Jersey became the second state to adopt a comprehensive law prohibiting racial or religious discrimination in employment when Governor Edge approved the Hill bill on April 16, 1945. The full text of the law, Chapter 169 of the Laws of 1945, is reproduced in 16 Labor Relations Reporter 280 and Manpower Reports 74:7. The Act is substantially similar to the New York Ives-Quinn law except in the provisions for administration and judicial review. A detailed analysis section by section follows:

Sec.1 Title

The Act is to be known as the "Law Against Discrimination."

Sec. 2 Purpose

The Act is for the purpose of protecting the public health, safety, morals, and general welfare, and to fulfill State constitutional guarantees.

Sec. 3 Public Policy

The Legislature^{NJC} declares that discrimination because of race, creed, color, national origin or ancestry menaces the rights and privileges of the inhabitants and the institutions of the State.

Sec. 4 Opportunity for Employment

The opportunity to obtain employment without discrimination is declared to be a civil right.

Sec. 5 Definitions

This section defines "person," "employment agency," "labor organization" and "unlawful employment practice" in conventional terms. The term "employer," however, is defined to exclude any employer with five or less employees and any non-profit social, fraternal, charitable, educational or religious association. The term "employee" is defined to exclude domestic servants or any individual employed by a parent, child, or spouse.

U.S. Committee on fair employment practice
(1943-1946)

#1142

X- HD 4903
.2654

Field Letter No. 65

May 2, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Status of FEPC Transit Cases

Transmitted herewith is a memorandum
giving current information about our transit cases
throughout the country.

attachment

U.S. Committee on fair employment practice
(1943-1946)

Field Instruction No. 50

X- HD 4903

254

May 7, 1945

#143

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Monthly Report

Effective with the report for the month of May 1945, the Monthly Report shall be prepared according to the following instructions.

The Monthly Report shall consist of the following schedules and enclosures:

- A. Schedule of Case Totals, Form FEP-12
- B. Schedule of Docket Card and FDR Corrections, Form FEP-13
- C. Schedule of Cases Docketed, Form FEP-3
- D. Schedule of Cases Reopened, Form FEP-14
- E. Schedule of Cases Closed or Referred to DFO, Form FEP-4
- F. Schedule of Non-Docketable Complaints Received, Form FEP-7
- G. Docket Cards for Cases Docketed During Reporting Month
- H. Final Disposition Reports for Cases Closed During Reporting Month

Reports and forms shall be addressed to the Director of Field Operations and shall be submitted in triplicate on the second day of each month, reporting for the preceding calendar month. These shall be sent by air mail from all offices except Regions I, II, III, and IV. Reports from sub-offices shall be submitted directly to the DFO with a copy to the appropriate Regional Director.

Instructions for the preparation of Forms FEP-12, 13, 3, 14, 4, and 7 and specimen copies are attached. A supply of the new forms FEP-12, 13, and 14 is enclosed.

This Field Instruction supersedes Field Instructions 11-A, 11-B, 11-C, 11-D, the instruction on preparation of Forms FEP 3, 4, 5, 6, and 7 in Field Instruction 11, Field Instruction 16-B, RD 26, RD 108, and RD 127. It now contains all the instructions applicable to the monthly report. The requirements for the submission of the fiscal and personnel reports to the Administrative Division are not affected by this instruction.

Note particularly the following changes made by these instructions:

1. Final Disposition Reports shall be submitted monthly instead of during the month and shall accompany the monthly report.
2. Although FDRs are to be submitted with the monthly report, the date of closing is no longer the date of the FDR, but the date of written notification of closing to the complainant or the party charged.

U.S. Committee on fair employment practice
(1943-1946)

X-HD 4903

.1154

#1144

Field Letter No. 56A

May 9, 1945

TO: Division of Field Operations
FROM: Will Maslow
RE: "The Labor Market," April 1945, WMC

The enclosed WMC publication contains information which will be of value to you.

As usual, the spot map on adequacy of labor supply and the tables on placement activities are of interest.

Through local sources you may be able to refine the information on intercounty and interstate migration to estimate the number of non-whites involved.

Attachment
Office copy only

U. S. Committee on fair employment practice
(1943-1946)

#145

X-HD 4903

.U54

Field Letter No. 66

May 9, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Hearings on Fair Employment Practice Act

Transmitted herewith is a transcript on S.101
and S.459 held before a sub-committee of the Senate Committee
on Education and Labor, on March 12, 13, and 14, 1945.

Attachment
Office copy only

U.S. Committee on fair employment practice
(1943-1946)

#146

X-HD 4903

,U54

Field Letter No. 67

May 9, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: UAW-CIO Fair Practices Committee

Transmitted herewith is a copy of the circular issued by UAW-CIO Fair Practices Committee describing the committee and a poster on the same subject.

Attachments
Poster-Office copy only

U. S. Committee on fair employment
practice (1943-1946)

X- HD 4903

. 254

147

R. D. No. 143

May 11, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Summary of Essential Actions Taken by Committee

The recent distribution of a confidential index to the summary of essential actions taken by the Committee serves as a reminder that these periodic summaries are exceedingly important and should be brought to the attention of every examiner regularly.

A review at this time of all the policy determinations which have continuing application should prove useful.

U.S. Committee on fair employment
"Practice" (1943-1948)

CONFIDENTIAL

X-HD 4903

.U54

R.D. No. 144

May 15, 1945

TO: DIVISION OF FIELD OPERATIONS

FROM: Will Maslow, Director

RE: USES Violations of the Non-Discrimination Program

The following memorandum listing recent violations of the WMC-FEPC operating agreement is transmitted for your general information. It does not purport to be a summary of our entire relationship with WMC, which on the whole is satisfactory, but it does indicate there are spots which need continuous attention and correction.

Continue to keep us advised by means of the Biweekly Report of new developments in your relations with WMC.

TO: Mr. Will Maslow
Director of Field Operations
FROM: Inez Mercer
Fair Practice Examiner
RE: USES Violations of the Non-Discrimination Program

May 12, 1945

As you requested, I have summarized the recent correspondence from Regional Directors citing violations of the WMC-FEPC agreement.

USES violations of the non-discrimination program fall into two general categories; first, actual discrimination by USES employees in referral of qualified workers, and second, failure to carry out the terms of the FEPC-WMC agreement and thus actually condoning discrimination on the part of employers.

The FEPC-WMC agreement requires that the local USES office prepare a Form USES-510, "Report of Discriminatory Hiring Practices," when (a) discriminatory specifications are received from an employer or anyone acting in his behalf, including specifications based on race, color, creed or national origin, (b) there is evidence that the employer or anyone acting in his behalf has discriminated on the basis of race, color, creed or national origin in accepting occupationally qualified persons, or applicants for in-plant training, who have been referred by USES. The USES-510 Report is to be prepared and submitted within three days after the local office has made efforts to obtain elimination of the discriminatory practices. Three copies of the report are to be sent to the Regional Director of WMC who is required to transmit immediately to the Regional Office of FEPC two copies of the report. Time limits are established for making reports to FEPC on progress in settling cases.

The following instances of USES violation of the non-discrimination

U. S. Committee on fair employment practice
(1943-1946)

#119

X-HD 4903
.2154

Field Letter No. 68

May 18, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Chairman's Opening Statement at
Capital Transit Hearing

Transmitted herewith is a copy of the
Chairman's opening remarks at the Capital Transit
hearing on January 15, 1945.

Attachment

HD 4903

254

U.S. Committee on fair employment practice (19

FIELD LETTER NO. 52-C

MAY 23, 1945

TO: Division of Field Operations

FROM: Will Maslow, Director

RE: Open Capacity List of the War Production Board
(Revised to May 15, 1945)

Transmitted herewith is Issue No. 7 of the Open Capacity List. This list includes employers affected by contract terminations and cutbacks through April 1945. Plants in your area which are to be affected by cutbacks made between May 1-15, 1945, have been listed for you in the attachment to Field Letter 28-N. Except for shipbuilding yards, you will find little duplication between the two lists.

The figures given in the Open Capacity List in column 7 entitled "Workers" is the number of workers who would normally be employed in the "Space" to become available. It does not necessarily indicate the number of workers to be laid off. The figure given in column 7 is usually higher than the expected layoffs because some of the workers released may be transferred to other work in the same plant.

As is true for Field Letter No. 28-N, the attached figures are not to be accepted as completely accurate but may serve to indicate plants in which important layoffs may occur and upon which you may want to obtain additional information from the regional or area offices of the War Manpower Commission. The most recent figures on nonwhite employment are more readily available in the area office of War Manpower Commission than in Washington, so we have not attempted to include them on the attached list.

Attachment
Office Copy Only

Initiated by:
John A. Davis, Director
Division of Review & Analysis

*U.S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

.2154

Field Letter No. 69

May 23, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Navy Department Pamphlet
"Guide to Command of Negro Naval Personnel"

Transmitted herewith is a pamphlet dated April 10, 1944 prepared and issued by the Bureau of Naval Personnel on how to command and treat enlisted Negro naval personnel. Although it applies only to enlisted personnel, over which we have no jurisdiction, it is a statement of naval policy and should be helpful in your negotiations with plant management and with commandants of naval establishments to show the current racial attitudes of the Navy Department. Note particularly the sections on racial theories (p.3), dangerous generalizations (p.7), irritating symbols (p.9), and racial separation (p.10).

Attachment

Initiated by John A. Davis
Director, Division of Review and Analysis

U. S. Committee on
" Practice (1943-1944)

R. D. No. 145

X-HD 4903
2654

May 25, 1945

#152

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Round Robin Routing

From time to time we receive from our field offices, FDRs, reports, memoranda, and other material which we consider of interest to all regional directors and examiners-in-charge, although not meriting mimeographing. Such material will be routed hereafter to regional directors and examiners-in-charge in the following order, each office being responsible for directing it to the next office on the list: Fleming, Philadelphia; Lawson, New York; Manly, Pittsburgh; Swan, Detroit; McKnight, Cleveland; Clore, Cincinnati; Henderson, Chicago; Brown, St. Louis; Hoglund, Kansas City; Kingman, San Francisco; Brown, Los Angeles; Castaneda, San Antonio; Ellinger, New Orleans; Dodge, Atlanta; Evans, Washington; DFO.

- Material to be routed in this manner will be identified as Round Robin Routing and regional directors and examiners-in-charge will place their initials opposite their names on the covering memorandum. Such material must not be retained more than one week, and preferably routed on in a day or so.

*U. S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

.2154

#153

Field Instruction 6D
(Superseding R. D. 55)

May 26, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Letters to the Press

An increasing number of newspaper columnists and editorial writers have begun to comment on the work of FEPC. Unfortunately, some of this comment is based upon errors of facts or misconceptions as to our purposes, duties, or powers.

Whenever you observe such misstatements in newspapers or other periodicals published in your region and you believe a reply will be helpful, the Regional Director or Examiner-in-Charge should write to the individual concerned on our official stationery setting forth the facts. Do not write, however, when there is no error of fact, but merely a difference of opinion as to the wisdom of FEPC. The letter should likewise make clear that we do not engage in public debate on policy questions but are merely attempting to correct errors of facts.

Needless to state, this should be done without rancor or name-calling. Do not attempt to score debaters' points, but always assume the good faith of the writer and address him with the utmost of good will and courtesy.

Keep us informed of your experiences and send us copies of your letters and any published clippings.

Such material does not need to be cleared in advance, but of course proposed letters or any problems may be submitted for our advice and help.

Errors made by national columnists or network broadcasters will be called to their attention by the central office.

May 26, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Non-Docketable Complaints

1. The purpose of this instruction is to collect in one document all of our prior instructions about non-docketability.

2. A non-docketable complaint shall be

a. a written complaint which lacks any one of the essential elements of a docketable complaint (F.I. 1, Paragraph IIA), i.e.,

- (1) It is not signed.
- (2) It names no specific party charged.
- (3) It does not allege discrimination in employment, training, or placement.
- (4) It does not allege discrimination because of race, creed, color, national origin or alienage. (Alienage cases not to be processed.)

b. a written complaint against a party charged obviously not within the jurisdiction of the Committee. (When jurisdiction is in doubt, the complaint should be docketed and referred to the DFO for a legal opinion.)

c. an oral complaint made directly by the complainant in an FEPC office. A complainant who complains orally but whose complaint is obviously without merit or outside of our jurisdiction should not be encouraged to file a written complaint, but the complaint should be reported as non-docketable. A complaint otherwise adequate, but not in writing, should be reduced to writing and then docketed.

3. The reason for not docketing a complaint (to be entered on the FEP-7 form attached to the monthly report) shall be the lack of one or more of the elements of a docketable case, e.g., "not signed," "oral," "no allegations of discrimination in employment," or the obvious lack of jurisdiction.

4. The following matters are to be considered neither docketable nor non-docketable complaints and are not to be so reported:

a. strike activity, in the absence of a complaint of discrimination. (Report on Form FEP-9.)

b. mere inquiries, oral or written, made solely for the purpose of obtaining information on procedure, jurisdiction, etc., which expressly negative any intention to complain.

X-HD 4903
.2454

U. S. Committee on fair employment practice
(1943-1946)

X-HD 4903.

254

#155

Field Letter No. 70

May 30, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: Attached Bibliography, Race Relations

Attached hereto you will find a copy of the Rosenwald Fund's bibliography on the Negro. The usefulness of the bibliography is increased by a table of contents in the front and an author and title index in the back.

attachment

Initiated by John A. Davis
Director of Review and Analysis

*U. S. Committee on fair employment practice
(1943-1946)*

X- HD 4903

2154

#156

Field Letter No. 71

May 30, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "Race Discrimination and the Law"

Transmitted herewith is a reprint of an article by Carey McWilliams which appeared in the Winter 1945 issue of Science and Society.

Mr. McWilliams' major thesis is that law can be used either to increase or to eliminate racial prejudice, as well as racial discrimination. In taking this position, the author challenges the assumption of many social scientists and lawyers that law represents "a sort of crystallization or precipitation of the mores," or "merely reflects the mores of the community." The role of law in eliminating discrimination receives most interesting treatment, and the accomplishments of FEPC are appraised. Careful consideration is also due to McWilliams' statement that "segregation breeds prejudice."

attachment

*U.S. Committee on fair employment practice
(1943-1946)*

Field Instruction No. 34A

X- HD 4903

2654

May 31, 1945

157

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: WMC Priorities - Reports from FEPC

1. Transmitted herewith is a copy of WMC Field Instruction No. 790 which clarifies the procedure under which FEPC material is to be considered in awarding WMC manpower priorities.
2. In accordance with Committee policy, no recommendations will be made by FEPC, but the facts will be presented to WMC for appropriate action.
3. It is important that FEPC directors discuss with WMC directors procedures, formal or informal, whereby you may be kept informed of the agenda of Area Manpower Priorities Committee. Since these meetings are usually held on short notice, some procedures must be devised so that your transmittals are timely and useful.
4. You should also discuss with appropriate WMC officials methods by which you may read the minutes of the priorities committees, particularly those which have considered reports submitted by you.
5. Until further notice, a copy of each report submitted pursuant to this instruction will be transmitted to the DFO.
6. Keep us informed by means of the Biweekly Report of your experiences under this program.

attachment

U. S. Committee on fair employment practice
(1943-1946)

#158

X- HD 4903
.254

Field Letter No. 72

June 4, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "Nisei in the War Against Japan"

Transmitted herewith is a copy of a publication issued April 1945 by the War Relocation Authority, Department of Interior. Selected newspaper clippings tell a significant story which should be useful in overcoming discrimination against Japanese-Americans. If additional copies of the publication become useful in your work, request them directly from the WRA office in your vicinity or, in the absence of such an office, write to us.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

X-HD 4903

.U54

Field Letter No. 73

June 4, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "Our Conflicting Racial Policies"

Transmitted herewith is a reprint of an article by Will W. Alexander which appeared in the January 1945 issue of Harper's Magazine. This penetrating summary of America's racial policies will be of interest to all FEPC personnel.

Attachment

*U. S. Committee on fair employment practice
(1943-1946)*

X-HD 4903

2154

#165
Field Letter No. 74

June 20, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: First Report - FEPC

Attached hereto is the First Report of
the Committee covering the period July 1, 1943 to
January 1, 1945.

Initiated by
John A. Davis, Director
Review and Analysis

attachment

U. S. Committee on fair employment practices
(1943-1946)

X-HD 4903

2154

#161

Field Letter No. 75

June 22, 1945

TO: Division of Field Operations

FROM: Will Maslow, Director

RE: "Prejudice! -- Roadblock to Progress"
"A Bill of Rights for all UAW Members"
"War-Time Changes in the Occupational Status
of Negro Workers"

Transmitted herewith are the above named articles and statement which have been issued by the War Department (Army Talk, No. 70); the United Automobile Workers, CIO; and by the National Vocational Guidance Association, respectively.

"Prejudice! -- Roadblock to Progress" presents not only important, useful information but also provides a statement of the Army's position. Special attention is directed to the six questions which are stated and discussed on pages 2 to 4. The answer to question 5 on page 4 specifically refers to FEPC.

"A Bill of Rights for all UAW Workers" is a commendable statement of the place that protection of minority rights has in the union program.

Progress in upgrading Negro workers in the war period is discussed by Mr. Julius A. Thomas who shares a common concern with respect to maintaining vocational opportunities for Negroes in the post-war years.

attachments

U.S. Committee on fair employment practice
(1943-1946)

#162

X HD 4903
2154

Field Letter No. 56B

July 10, 1945

TO: Division of Field Operations
FROM: Will Maslow, Director
RE: "The Labor Market - June 1945, WMC"

Attached hereto for your information is a
copy of the above WMC publication.

attachment
office copy only

U.S. Committee on fair employment practice
(1943-1946)

FIELD LETTER NO. 76

August 1, 1945

#163

X-HD 4903

2154

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Acting Director
RE: "Negro Women War Workers"

Attached hereto is an informative pamphlet, "Negro Women War Workers," published by the Women's Bureau of the U. S. Department of Labor, which you should find interesting and useful to you in your work.

Attachment

Initiated by John A. Davis,
Director of Review and Analysis

U. S. Committee on fair employment practice
(1943-1946)

X- HD 4903
254

100
18
FIELD INSTRUCTION NO. 26F

August 8, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: Civil Service Manual Amendments

Transmitted herewith are copies (1) of Civil Service Manual Letter 284, authorizing changes in the text of this manual, and (2) of revised pages of the manual as follows: Gl.03.07, Gl.03.08, Gl.03.081, Gl.03.09, Gl.03.10.

The new or revised text in these latter pages is designated by asterisks in the margins. You will note that this revision incorporates, among other things, the provision that when an employee alleges that he was removed because of race, religion, or political affiliation (except as authorized or required by law) during the probationary or trial period, the Commission will assume jurisdiction in the case in the same manner as followed when removal is made after the probationary or trial period.

These revisions and revised pages should be added to your copy of the manual sections sent you under Field Instruction 26E.

Attachments

U.S. Committee on fair employment practice (1943-1946)

X-HD 4903
.254

Field Instruction No. 51A

August 8, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: Final Disposition Reports

Effective immediately, Final Disposition Reports will be required in the following types of cases only:

1. Satisfactory adjustments in which there are important policy changes on the part of the party charged. (e.g. company upgrades Latin-Americans for the first time or union which previously prevented the employment of Negroes now offers no barriers to utilization.)
2. Cases referred by members of Congress - whatever the disposition.
3. Dismissed on merits cases where a major discriminatory policy, though not proved, appears probable. (e.g. A company demonstrates that the applicant was not qualified and states that it does hire without discrimination, but there is circumstantial evidence that Jews are barred from its bookkeeping department.)
4. Any other cases which for any reason you consider of public relations value. (See F.L. 51, paragraph I)

All cases should be complete so that upon request a final disposition report on any particular case can be readily prepared. Because of the staff shortages, it is recognized that preparation of a large number of final disposition reports is burdensome. It is believed that these revisions and procedures should eliminate a considerable amount of the work load of your office.

Final disposition reports hereafter shall be submitted in duplicate only.

*U. S. Committee on fair employment practice
(1943-1946)*

X-HD 4903
.7454

#166

FIELD LETTER NO. 77

SEPTEMBER 17, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: Attached Analysis of Immediate Problems
Which Minority Group Workers Will Face

The attached material was prepared by the Division of Review and Analysis to serve, at this time, as a summary of what the nonwhite worker has gained as a result of FEPC and Federal action in the nondiscrimination field, and what he faces in the immediate post VV-Day period.

You will find the information useful for your public appearances. Please do not make use of it before Sunday, September 23, 1945.

Attachment

*U. S. Committee on fair employment
practice (1943-1946)*

X-HD 4903
254

#167

R. D. NO. 146

SEPTEMBER 17, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: Closing Cases Against Plants Permanently Shut Down

Please close as "Other" all pending cases against war plants which have shut down completely and a reopening of which is not contemplated. This action should begin immediately.

Such cases shall be reported by memoranda containing all such closings to date. If all such cases cannot be closed within a reasonable time, supplementary memoranda may be submitted as groups of cases are thus finally disposed of.

The listing should be by party charged and all cases against the same plant grouped under such heading.

The following information should be given on each case:

1. Number of complainants involved.
2. Total employment on VJ-Day.
3. Total non-white employment on VJ-Day.

U. S. Committee on fair employment practice
(1943-1946)

X- HD 4903

.254

FIELD LETTER NO. 78

SEPTEMBER 24, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: Pamphlet, "On The Color Line"

Enclosed are 75 copies of a publication by the Council For Democracy entitled, "On The Color Line." It is a first attempt of an organization to develop the kind of material which can be given to workers and which will serve as a primer for helping to overcome their prejudices. You may wish to give copies of these pamphlets to employers, who in turn may buy large quantities of them to be distributed to supervisors, foremen and to workers directly.

Enclosure

Initiated by John A. Davis
Director of Review and Analysis

Committee on fair employment practice (7-3-46)

HD 4903

2154

#1119
161
FIELD LETTER NO. 56-C

OCTOBER 2, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
SUBJECT: The Labor Market, July, August, September 1945, WMO

Transmitted herewith for your information and guidance are copies of The Labor Market (WMO publication) for the months of July, August and September 1945.

Attachment - Office copy only.

U.S. Committee on fair employment practice
(1943-1946)

#170

X-HD 4903

.U54

FIELD LETTER NO. 67-A

October 10, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: UAW-CIO Conference on Discrimination

Transmitted herewith is a summary report on the National UAW-CIO Advisory Conference on Discrimination held in Detroit July 27, 28, 1945.

The summary was prepared by Mr. George W. Crockett, Jr., Director UAW-CIO Fair Practices Committee, who was formerly of the FEPC staff. Deputy Chairman George M. Johnson was a principle speaker at the conference and a summary of his address is included in the report.

Attachment

U. S. Committee on Fair Employment
Practice (1943-1946)

X- HD 4903

254

R. D. No. 147

October 16, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
RE: New York Telephone Company

On the reverse side hereof is a letter that was sent to Mr. Edward Lawson of Region II by Mr. O. M. Taylor, Vice President of the New York Telephone Company. I believe you may find it useful in dealing with local telephone companies in your region.

Attached is a copy of a news release on this communication.

Attachment

U.S. Committee on fair employment practice
(1943-1946)

#172

X-HD 4903
.2654

FIELD LETTER NO. 56-D

NOVEMBER 13, 1945

TO: Division of Field Operations
FROM: Clarence M. Mitchell, Director
SUBJECT: The Labor Market - October 1945 (Dept. of Labor)

Attached hereto for your information is a copy
of the above Labor Department publication.

Attachment - Office copy only.

X-HD 4903

.2154

#173

EXECUTIVE OFFICE OF THE PRESIDENT
Office for Emergency Management
THE COMMITTEE ON FAIR EMPLOYMENT PRACTICE
261 Constitution Avenue, N. W.
Washington 25, D. C.

The enclosed pamphlet, "FEPC-How It Operates," has been prepared by the Committee's Division of Review and Analysis and has just been made available to the public.

I believe you may be interested in reading this pamphlet which is designed to help acquaint the general public with the purposes for which FEPC was created and its methods of trying to achieve those purposes.

I trust that this information will be of some value to you.

St. Clair T. Bourne
Information Specialist